

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

In Re: **Sharon L. Yeago**

Case No.: **FEC 13-125**

TO: Paul Regensdorf, Esquire
Holland & Knight
50 North Laura Street, Suite 3900
Jacksonville, FL 32202

Joseph Little, Esquire
3731 NW 13th Place
Gainesville, FL 32605

NOTICE OF HEARING (REVIEW RECOMMENDED ORDER)

A hearing will be held in this case before the Florida Elections Commission on **October 28, 2014, at 3:00 pm, or as soon thereafter as the parties can be heard**, at the following location: **Senate Office Building, Room S-110, 404 South Monroe Street, Tallahassee, FL 32399.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission. However, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless you request to be heard or the Commission requests that your case be considered separately on the day of the hearing, your case will *not* be individually heard.

If you are the Complainant, you may attend the hearing, but you will *not* be permitted to address the Commission. In addition, some cases (including those in which consent orders or recommendations for no probable cause are being considered) may be decided by an *en masse* vote and, unless the Respondent requests to be heard or the Commission requests that the case be considered separately on the day of the hearing, the case will *not* be individually heard.

If you are an Appellant, and you have requested a hearing, you may attend the hearing, and you or your attorney will have *5 minutes* to present your case to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
October 13, 2014

Please refer to the information below for further instructions related to your particular hearing:

This **Review of a Recommended Order** will be conducted pursuant to Section 106.265(6), Florida Statutes, and Chapter 28 and Commission Rule 2B-1.0045, Florida Administrative Code.

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

ROBERT J. BARNAS,

Petitioner,

vs.

Case No. 13-4759F

SHARON L. YEAGO,^{1/}

Respondent.

_____ /

RECOMMENDED ORDER

Pursuant to notice, a formal hearing was held before the Division of Administrative Hearings Administrative Law Judge Diane Cleavinger on February 25, 2014, and April 24, 2014, in Gainesville, Florida.

APPEARANCES

For Petitioner: Joseph W. Little, Esquire
3731 Northwest 13th Place
Gainesville, Florida 32605

For Respondent: Paul R. Regensdorf, Esquire
Holland and Knight LLP
50 North Laura Street
Jacksonville, Florida 32202

STATEMENT OF THE ISSUE

The issue in this proceeding is whether Respondent is entitled to attorney's fees and costs pursuant to section 106.265(6), Florida Statutes (2012), and Florida Administrative Code Rule 2B-1.0045.

PRELIMINARY STATEMENT

On April 1, 2013, Complainant, Robert J. Barnas, filed an ethics complaint with the Florida Elections Commission (FEC) against Respondent, Sharon L. Yeago, as the spokesman of an organization known as Concerned Citizens for a Better High Springs (Concerned Citizens). In the Complaint, Mr. Barnas alleged that Ms. Yeago and others had formed Concerned Citizens to oppose a High Springs charter amendment referendum and to support certain High Springs city commission candidates in the November 6, 2012, general election. The Complaint further alleged that such activity had violated various provisions of chapter 106, Florida Statutes, since Concerned Citizens failed to register as a political committee, failed to appoint a treasurer, failed to appoint a registered agent, failed to file reports of financial expenditures, and failed to keep records. Ms. Yeago filed a response to the complaint. After review, FEC ultimately dismissed the underlying complaint.

At the hearing in this matter, Mr. Barnas claimed that procedural flaws regarding notice had occurred during the underlying proceeding. However, the decision of the FEC in the underlying action was not appealed by Mr. Barnas and is now final. Therefore, such alleged procedural flaws have not been addressed in this Recommended Order.

After the FEC decision, Ms. Yeago filed a Petition for Costs and Attorney's Fees pursuant to section 106.265(6) and Florida Administrative Code Rule 2B-1.0045. The Petition alleged that Mr. Barnas filed the ethics Complaint with malicious intent to injure her reputation, by filing the Complaint with knowledge that it contained one or more false allegations, or with reckless disregard for whether the Complaint contained one or more false allegations. Mr. Barnas disputed the Petition for Fees and the matter was forwarded to the Division of Administrative Hearings (DOAH) for formal hearing.

At the hearing, Complainant, Mr. Barnas, testified in his own behalf and presented the testimony of two witnesses. Complainant also offered 12 exhibits into evidence. Respondent, Ms. Yeago, testified in her own behalf and presented the testimony of three witnesses. Additionally, Respondent offered 19 exhibits into evidence.

After the hearing, Petitioner/Complainant filed a Proposed Recommended Order on June 27, 2014. Respondent filed a Proposed Recommended Order on June 30, 2014.

FINDINGS OF FACT

1. Robert Barnas was an elected member to the City Commission of the City of High Springs, Florida. At the time relative to this proceeding, the City of High Springs was having

serious financial difficulty, had cut salaries and staff and was having difficulty meeting its obligations.

2. Mr. Barnas was a sponsor and supporter of a referendum to amend the City of High Springs charter. In general, the proposed amendment sought to limit the power of the City of High Springs to borrow money without a super majority vote of the City Commission and an approving vote of the electorate.

3. The charter amendment was passed by the City Commission without following proper procedures and was slated to appear on the November 6, 2012, general election ballot. The restrictive nature of the referendum and the manner of the referendum's passage angered many voters who campaigned against it. Further, a legal action by opponents of the referendum was filed in Circuit Court to invalidate the passage of the referendum. Due to that legal action, the Circuit Court preliminarily voided the impending vote on the charter amendment but did not remove the question from the ballot.

4. In addition, politics in High Springs had too many people become shockingly contentious, mean-spirited and discourteous. The referendum and its questionable passage added to the negative political atmosphere. As a consequence, around September 28, 2012, an informal, unincorporated organization was formed in the City of High Springs called Concerned Citizens for a Better High Springs (Concerned Citizens). It was formed for a

variety of "good government" concerns regarding government and politics in High Springs.

5. Throughout the period of time between its organization and the election in November of 2012, four people were responsible for Concerned Citizens and constituted its Steering Committee. Those four people were Becky Johnson, John Manley, Bob Jones, and Linda Jones.

6. The group was a volunteer organization and did not have dues or a bank account. The evidence was not clear if Concerned Citizens had official members in its organization or less official supporters since to "join" the organization a person could email Concerned Citizens or "like" the group on Facebook and thereby be listed as a supporter.

7. Ms. Yeago was affiliated with or a supporter of Concerned Citizens and served from time to time as a volunteer spokesperson for that organization. She also assembled from other supporters ideas, and/or typed up the mission statement and other documents that will be discussed later in this order. She did draft the group's description/solicitation for support which will also be discussed later in this order.

8. Ms. Yeago lived in the county where High Springs is located, but did not live in High Springs. She, therefore, was not a voter in High Springs city elections. Her political stance on any High Springs city commission candidates or on the charter

amendment was not known and not demonstrated by the evidence. Further, no effort was made by Mr. Barnas to ascertain Ms. Yeago's position on these issues and there was a complete lack of evidence demonstrating that Ms. Yeago campaigned for or against any candidate for the City's commission or advocated for or against the charter amendment on the ballot.

9. Ms. Yeago supported Concerned Citizens and helped the group because she was genuinely concerned with fostering a better political atmosphere in High Springs. She was not on the steering committee and not responsible for guiding the group. Further, due to her professional work with various local governments and people of all political persuasions it was of primary concern to her that Concerned Citizens or any group she was associated with be non-political and nonpartisan.

10. On the other hand, some of Concerned Citizens' publicly identified supporters, in their private capacity, actively and publicly opposed adoption of the proposed charter amendment and actively and publicly supported election of particular candidates for seats on the High Springs city commission whose election Mr. Barnas opposed.

11. Two of the candidates opposed by Mr. Barnas were Bryan Williams and Scott Jamieson. Mr. Williams' opponent was Patrick Rush. Mr. Jamieson's opponent was Edward Reiss.

12. Concerned Citizens created a Facebook identity and started a Facebook page on September 28, 2012, the official day of its formation. The group posted under the name "Concerned Citizens for a Better High Springs." Individuals posted under whatever Facebook name they used. The group did not control who posted to its Facebook page or the contents of such posts.

13. On September 28, 2012, the official day of formation of Concerned Citizens, Gene Levine posted a comment on Concerned Citizens' Facebook page. The evidence was not clear if Mr. Levine was then a supporter of Concerned Citizens. However, by November 1, 2012, he was listed as a supporter by the organization in an advertisement it ran in the local newspaper offering rides to the polls.

14. Mr. Levine's comment read:

As of Friday night 9/28/2102 [sic], if the information is correct, it appears that Edward Reiss has thrown in the towel leaving Scott Jamison [sic] to retain Seat 5 unopposed. That leaves Patrick Rush to run against Bryan Williams for Seat 4, the seat now held by Dean Davis who is all too friendly with Rush.

Dean's close friend Robyn Rush instructed Davis to support Pat Rush and Davis is going around town putting up "Vote For Rush" signs.

We must remember Pat Rush as the owner of "Pat's Place," a coffee shop on Main Street that went out of business. He couldn't blame anyone else for his businesses' demise because he made all the decisions. How can any citizen of High Springs even think of voting

for someone who couldn't successfully run his own business to run our City's big business?

Everyone should send the present triumvirate a clear message that we the people, who this trio works for, can't take their lack of professionalism anymore. We will vote for Bryan Williams because he has nothing to hide about his past and wants the chance to do damage control and better position High Springs to thrive once again by bringing in much needed jobs.

15. Immediately following Mr. Levine's comment, Concerned Citizens disclaimed Mr. Levine's comment and posted:

This group will not be addressing political campaign issues. Those are for other groups. We are nonpartisan and nonpolitical and will only be focused on policy recommendations to move High Springs forward.

16. Concerned Citizens further advised people to "take a look at our Principles and Policy Recommendations under About." Notably, through the time of filing the FEC complaint underlying this action and other than congratulating the election's winner after the election and wishing him well, there were no other postings on the Concerned Citizens' Facebook page or on its "About" page regarding any political candidates. Further, there were clearly no postings by Ms. Yeago regarding any political candidates.

17. Indeed, Mr. Jamieson's race was uncontested and listed as such on the ballot in November. Mr. William's race remained contested and most of the evidence in this hearing focused on

Mr. William's race. However, Mr. Barnas misrepresented, to the point of falsification, that Concerned Citizens supported these two candidates when he cut and pasted into an attachment to his FEC complaint only Mr. Levine's post on Facebook, deliberately leaving out the nonpartisan statement and position of Concerned Citizens which followed Mr. Levine's post. Moreover, by April 1, 2013, when Mr. Barnas sent his complaint to the FEC, Mr. Barnas knew that Mr. Jamieson's race was uncontested, but falsely represented that Concerned Citizens had expressly advocated for his election when no such advocacy occurred because the race was uncontested.

18. As indicated, Concerned Citizens published on its Facebook page and in a variety of documents its mission statement, its four guiding principles, and its five key areas of principal concern to effectuate its goals of greater civility in politics and better government in High Springs.

19. The Mission Statement read:

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

20. In addition to the mission statement that appeared on its Facebook page, there were two publications/statements created that included the group's above-quoted mission statement. One publication contained the mission statement and listed the

group's four "Guiding Principles." Those guiding principles were:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced, and accountable management to the City.

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility.

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents.

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with City staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens. (Bold and italics in original.)

These four principles were followed by a variety of policy recommendations that Concerned Citizens felt were important considerations to implement its principles. Importantly, this publication did not mention Mr. Williams, Mr. Jamieson, or expressly advocate for their election, the defeat or passage of any candidate or charter amendment and could not be reasonably read to do so.

21. A second publication/statement by Concerned Citizens was created that included the group's mission statement and listed "Five Key Areas of Principal Concern." The Five areas were, in relevant part:

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.

* * *

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

* * *

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance.

* * *

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

* * *

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City Government:

a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a

2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective.

b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

THEREFORE, WE BELIEVE: The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

(Bold and italics in original.)

22. The Five Principals were posted on the group's Facebook page and also distributed as a paper document at a candidate's forum conducted in High Springs shortly prior to the November 6, 2012, election. Notably, concern 5 was a reasonable analysis of the charter amendment and only endeavored to explain the charter amendment, its potential effects and things that should be considered by a voter when voting on this amendment. Importantly, this second publication does not expressly advocate

for or against any candidate or for or against the charter amendment. Moreover, paragraph 5 could not be reasonably read to expressly advocate for or against any candidate or the charter amendment. The italicized portion of paragraph 5 only describes the amendment's method for limiting debt by subjecting such a decision to two votes and further stating the group's belief that such restrictions limit the city commission's ability to act. Nowhere in this language does the group indicate how a person should vote regarding the ballot referendum on the charter amendment.

23. Unfortunately, Mr. Barnas read item 5 above and deemed it to be express advocacy opposing the pending referendum on the proposal to amend the City of High Springs charter. Mr. Barnas' complaint affirmatively accuses Ms. Yeago, on behalf of the Concerned Citizens group, with expressly advocating the defeat of the charter amendment. As indicated, this single reference by Concerned Citizens to the charter amendment in its many publications was fair comment on the amendment and did not expressly advocate for its passage or defeat.

24. The Concerned Citizens' statement that included item 5 above also contained the following group description/request for support:

Concerned Citizens for a Better High Springs
is a nonpartisan, nonpolitical grassroots
citizens' group and, pursuant to Florida

Statute, section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or "Liking" the group at <http://tinyurl.com/bosiqm3>.

25. On November 1, 2012, Concerned Citizens' published a full-page advertisement in the Alachua County Today newspaper. The advertisement identified the names of Concerned Citizens' members including Ms. Yeago. The advertisement began "**VOTE ON NOVEMBER 6TH GO ALL THE WAY TO THE END OF THE BALLOT to ensure your voice is heard!**" (Emphasis in original.) The advertisement listed the four "Guiding Principles." It also included a statement eliciting support similar to but not identical to the one quoted above.

26. As indicated earlier, Ms. Yeago drafted these statements in order to describe the group as nonpartisan and nonpolitical, seek support and make it clear that the group was not a political committee engaged in election activities. The language regarding section 106.011 was added to emphasize that the group was not formed to advocate for any campaign or on any election issue. More importantly, no part of these group descriptions/requests for support could reasonably be read as express advocacy regarding a candidate or election issue.

27. Again, Mr. Barnas, in his complaint, incorrectly asserted that the group's description/request for support demonstrated its intention and that of Ms. Yeago to thwart the law regarding political committees. He also believed that Concerned Citizens had tried to hide its "advocacy" against the charter amendment by omitting the above mentioned paragraph 5 from its four principles document. In fact, the paragraph had never been part of the group's four principles and had only been contained in its "Five Key Areas of Principal Concern." Mr. Barnas did not inquire or make any investigation regarding these documents but assumed bad intent on the part of Concerned Citizens and, more specifically, Ms. Yeago. Such a failure to investigate these statements and documents constitutes reckless disregard for the truth of the allegations made by Mr. Barnas in his FEC complaint.

28. Concerned Citizens' newspaper advertisement published on November 1, 2012, contained a list of its supporters including the names of Tom Hewlett and Linda Hewlett. During the run-up to the election, the Hewletts made two 4' by 4' posters stating "Vote No" in large letters which they prominently displayed at the High Springs voting precincts on election day, November 6, 2012. One of these posters was introduced into evidence but the other poster had been destroyed. The uncontested evidence demonstrated that the Hewletts created these signs in their

private capacity as voters in High Springs and without the assistance or cooperation of Concerned Citizens.

29. Mr. Barnas testified he saw a large "Vote No" sign that included Concerned Citizens' identification affixed from holes in its corners to a fence at a High Springs voting precinct on Election Day November 6, 2012. Other than his testimony, Mr. Barnas presented no evidence or witnesses that the signs he described had ever existed. However, the evidence demonstrated that the Hewlett signs were the only large "Vote No" signs at the precinct. Moreover, the signs, contrary to Mr. Barnas' claim at hearing, bore no marking or legend that linked it to Concerned Citizens and his testimony to the contrary on this point was not credible.

30. In his complaint against Ms. Yeago, Mr. Barnas alleged that Concerned Citizens had endorsed or prepared two large, four-foot by four-foot signs which said "Vote No" and which signs contained the appropriate disclaimer at the bottom that would be required by a political committee if publishing such a statement or sign. Mr. Barnas did not make any inquiries regarding these signs and did not make any inquiries of Concerned Citizens, Ms. Yeago or the Hewletts.

31. Based on private political activities of people who were also supporters of Concerned Citizens, Mr. Barnas inferred, without evidence, that Concerned Citizens was expressly

advocating defeat of the charter amendment and had spent in excess of \$500 in doing so. As such, he failed to distinguish between private activities of individuals who also are members or supporters of various other political and nonpolitical organizations. Mr. Barnas did not inquire of these people if they were speaking for Concerned Citizens or any other organization when they campaigned against the charter amendment. He simply, without evidence, concluded that they spoke for Concerned Citizens and in so doing made false allegations in his complaint against Ms. Yeago. Based on these facts, such failure to investigate the facts surrounding these private political actions constitutes reckless disregard for the truth of the allegations he made against Ms. Yeago in his FEC complaint by attributing the private political activities of others to her or Concerned Citizens.

32. Mr. Barnas was determined to file a complaint with FEC against Concerned Citizens as an organization because he believed it should comply with chapter 106, Florida Statutes, to assure a "fair playing field" in future elections. It was unclear what "unfairness" he saw in Concerned Citizens' activities. His intent was to file against Concerned Citizens as a group and silence its activities.

33. However, after inquiry of FEC staff about how to make a complaint against Concerned Citizens, he concluded that

complaints must be made against responsible persons in an unincorporated organization and not the organization itself. He believed that he must identify at least two responsible persons in the complaint; and therefore, filed the complaint against Sharon Yeago as the "Person Against Whom Complaint is Brought" and naming Linda Jones as her co-conspirator, as well as listing Concerned Citizens' failure to register as a political committee, to name a registered agent and registered treasurer, and to file required reports as the violations.

34. The Barnas' complaint stated, in part:

The complaint is that a group of many individual [sic] formed an organization/PC, to defeat the ballot issue and also support and support [sic] the election of Byran Williams and Scott Jamison [sic]. They set up a "steering committee" (please note they do use the word committee) to write their goals and positions and called them "principles." I feel this organization used the term "steering committee', [sic] but was actually a PC that would conform to Florida Statute [sic] as defined in 106.011(a)(1)(c).

35. Mr. Barnas claimed in testimony that Linda Jones publicly identified herself as a member of the Concerned Citizens' steering committee in a High Springs City Commission meeting conducted in March 2013, and thereby provided him with a second person to name in his FEC complaint. However, the evidence demonstrated that Mr. Barnas was aware of whom, including Ms. Jones, the members of the Concerned Citizens'

steering committee were before the November election in 2012, and well before the meeting in 2013. In fact, the evidence showed that the likely motive for filing the underlying FEC complaint was that Mr. Barnas was called a "fool" by someone he thought was a member of Concerned Citizens and thereby decided to file an FEC complaint against the offending group, selecting April Fools' Day as the date to mail his complaint to the FEC.

36. Ms. Yeago was simply a means to an end, enabling Mr. Barnas to file an FEC complaint against an organization who he felt opposed something he favored. However, by Mr. Barnas using Ms. Yeago as a means to an end in his FEC complaint, Ms. Yeago was compelled to hire counsel and vigorously defend against the complaint's allegations in order to protect her professional reputation as an ethical person. Towards that end, Ms. Yeago hired Mr. Regensdorf under an agreement for an hourly fee capped at \$505.00 which he would receive only if awarded such fees and costs for defending the underlying FEC complaint and consequent litigation establishing entitlement to such fees and costs.

37. Unknown to Mr. Barnas, Ms. Yeago's lawyer filed a notice of appearance in the underlying action with FEC on April 26, 2013, but did not serve a copy on Mr. Barnas.

38. Ms. Yeago, through her attorney, filed a response to the complaint in the underlying action. For reasons that are not clear in the record, Mr. Barnas did not know that Ms. Yeago had

filed a response to his complaint until October 28, 2013.

39. On June 10, 2013, FEC's executive director issued a notice that Mr. Barnas' complaint was facially insufficient because the allegations did not establish that Concerned Citizens had expended in excess of \$500 in express advocacy during the election. FEC's notice informed Mr. Barnas that he was entitled to supply additional information to support his complaint.

40. On June 28, 2013, FEC issued a statement that the case was closed.

41. On July 10, 2013, Ms. Yeago filed the petition for fees and costs that is the subject of this proceeding, but did not serve a copy on Mr. Barnas. Again, for reasons that are not clear in the record, prior to October 28, 2013, Mr. Barnas did not know that Ms. Yeago had filed a petition for fees and costs..

42. By notice dated October 24, 2013, FEC notified Ms. Yeago and Mr. Barnas that a hearing on Ms. Yeago's fee petition had been set for November 13, 2013. Mr. Barnas received this notice on October 28, 2013, and elected not to ask for a continuance of the hearing date. As indicated, on the same date, FEC supplied Mr. Barnas copies of Ms. Yeago's filings in the case.^{2/}

43. Mr. Barnas filed a response to Ms. Yeago's fee and cost petition. Mr. Barnas was also afforded an opportunity to present all his evidence regarding a reasonable basis for filing his FEC

complaint at both the FEC hearing and the evidentiary hearing in this case.^{3/}

44. The billable records for Ms. Yeago's attorney listed 110.9 hours of time spent on this matter for which Ms. Yeago's attorney admits 102.8 hours of attorney time were reasonably attributable towards defending both the underlying FEC complaint and seeking fees for that defense. A review of those records confirms that 102.8 hours of time is a reasonable amount of hours to expend on this action. Additionally, a second partial day of hearing, consisting of 3.1 hours, was held in this cause, resulting in total hours of 105.9. However, other than the 3.1 hours spent in hearing on the second day, there was no evidence regarding the amount of time Ms. Yeago's attorney spent on preparation of later filings in this action. Therefore, no award for that time is made in this matter. Further, the expert evidence demonstrated that an hourly fee for an experienced litigator who is not a practitioner before the FEC of \$400.00 was reasonable for litigation of this type. Finally, the evidence demonstrated that reasonable costs in the amount of \$4,516.95 were incurred by Ms. Yeago in defending the underlying action and in litigating this fee action. Therefore, Ms. Yeago is entitled to a total of \$42,360.00 in attorney's fees and \$4,516.95 in costs.

CONCLUSIONS OF LAW

45. The Division of Administrative Hearings has jurisdiction over the parties to and the subject matter of this proceeding. See §§ 120.569 and 120.57(1) Fla. Stat. (2013).

46. Section 106.265(6), Florida Statutes (2012) and Florida Administrative Code Rule 2B-1.0045 provide for an award of attorney's fees and costs in certain FEC actions. Section 106.265(6) provides in part:

(6) In any case in which the commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter or chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

47. Further, Florida Administrative Code Rule 2B-1.0045(1) provides:

(1) If the Commission determines that a complainant has filed a complaint against a respondent with a malicious intent to injure the reputation of such respondent by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation

of chapter 104 or 106, F.S., the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the complaint, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

48. As the party asserting entitlement, Respondent has the burden to prove "by clear and convincing evidence" that an award of attorney's fees and costs is appropriate pursuant to section 106.265(6) and rule 2B-1.0045(4). See Dep't of Banking & Fin. v. Osborne Stern & Co., 670 So. 2d 932, 934 (Fla. 1996); Dep't of Transp. v. J.W.C. Co., 396 So. 2d 778, 787 (Fla. 1st DCA 1981).

49. In Brown v. Fla. Commission on Ethics, 969 So. 2d 553, 560 (Fla. 1st DCA 2007), the court determined that the actual malice standard of New York Times Co. v. Sullivan, 376 U.S. 254, 84 S. Ct. 710, 11 L. Ed. 2d 686 (1964) does not apply to fees sought pursuant to section 112.317, now 106.265. The court established that the elements of a claim by a public official for attorney's fees are: (a) the complaint was made with a malicious intent to injure the official's reputation; (b) the person filing the complaint knew that the statements about the official were false or made the statements about the official with reckless disregard for the truth; and (c) the statements were material. The Brown court emphasized that even without the Sullivan standard, "[t]he statute sets a very high bar for recovery of fees." Id. at 560. However, that bar is met where, as here, the

person filing an ethics complaint acts with conscious indifference to the truth of that complaint. Id.

50. Under Brown, it is clear that ethics complaints which allege facts insufficient to prove the elements of a violation of an ethics statute will not automatically render a complaint baseless or wholly untenable. Moreover, it is clear that an award of attorney's fees is not warranted in every situation wherein an ethics complaint is dismissed for lack of probable cause.

51. However, in this case, the evidence demonstrated that Mr. Barnas maliciously filed the complaint in order to silence those whom he perceived as opposing him and the issues that were important to him. Additionally, the evidence showed that Mr. Barnas maintained a conscious indifference to the truth or falsity of his allegations when he failed to reasonably investigate or inquire about Concerned Citizens, Ms. Yeago's relationship to Concerned Citizens, the private actions of supporters of Concerned Citizens or any of the various documents/statements attributable to Concerned Citizens. More importantly, such indifference was demonstrated when he cut and pasted portions of a Facebook page/blog from a person advocating for a candidate while leaving out Concerned Citizens' response to the post which clearly demonstrated the groups' intention not to

be a political committee. As such Ms. Yeago is entitled to an award of attorney's fees and costs pursuant to section 106.265.

52. Based on the expert evidence, a fee of \$400 per hour is a reasonable hourly fee for the services of Mr. Paul R. Regensdorf, the attorney who represented Ms. Yeago in this matter. Further the amount of 105.9 hours of time expended by Mr. Regensdorf in this matter is reasonable. Finally, the evidence demonstrated that reasonable costs in the amount of \$4,516.95 were incurred by Ms. Yeago in defending the underlying action and in litigating this fee action. Therefore, Ms. Yeago is entitled to an award of \$42,360.00 in attorney's fees and \$4,516.95 in costs that were incurred in this matter.

RECOMMENDATION

Based on the foregoing Findings of Fact and Conclusions of Law, it is RECOMMENDED that the Commission enter a Final Order granting the Petition for fees and costs and awarding the amounts established above to Ms. Yeago.

DONE AND ENTERED this 28th day of August, 2014, in
Tallahassee, Leon County, Florida.

Diane Cleavinger

DIANE CLEAVINGER
Administrative Law Judge
Division of Administrative Hearings
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Filed with the Clerk of the
Division of Administrative Hearings
this 28th day of August, 2014.

ENDNOTES

^{1/} The parties are identified as required by Florida Administrative Code Rule 2B-1.0045(4): "(4) The parties to the claim shall be the respondent and the complainant."

^{2/} Rule 2B-1.0045(2) provides that service of the petition for fees shall be accomplished by the Commission and provides, "The Commission clerk shall forward a copy of the petition to the complainant by certified mail" Although such service was extremely slow, service was accomplished by the FEC on October 28, 2013, with no prejudice to Mr. Barnas demonstrated by the evidence.

^{3/} Mr. Barnas' evidence remained largely the same as when he filed his complaint. However, Mr. Barnas presented one additional witness who, in very vague testimony testified that an unknown man "with gorgeous eyes" gave her literature regarding Concerned Citizens and that he told her Concerned Citizens opposed the charter amendment. At the time of the complaint, this information was not known to Mr. Barnas. However, the testimony regarding this person are both vague and hearsay and not reliable to establish any facts regarding the legitimacy of Mr. Barnas' claims in his underlying FEC complaint.

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NOTICE OF RIGHT TO SUBMIT EXCEPTIONS

All parties have the right to submit written exceptions within 15 days from the date of this Recommended Order. Any exceptions to this Recommended Order should be filed with the agency that will issue the Final Order in this case.

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DIVISION OF ADMINISTRATIVE HEARINGS

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STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
CASE NO. 13-4759F
VOLUME II

ROBERT J. BARNAS,
Petitioner,
vs.
SHARON L. YEAGO,
Respondent.

(STATE OF FLORIDA)
SS:
(COUNTY OF ALACHUA)

Transcript of Hearing, before Administrative Law
Judge DIANE CLEAVINGER, pursuant to Notice of Hearing, at 201
East University Avenue, Alachua County Civil Courthouse,
Courtroom 2B, Gainesville, Florida, on Thursday, April 24,
2014, at 10:00 a.m., before STEVEN E. LeBLANC, SR., RPR,
Notary Public in and for the State of Florida at Large.

APPEARANCES:

JOSEPH LITTLE, ESQUIRE, 309 Village Drive,
University of Florida, Levin College of Law, Gainesville,
Florida 32611, appeared on behalf of the Petitioner.

PAUL R. REGENSDORF, ESQUIRE, of the law firm of
Holland and Knight, 50 North Laura Street, Suite 3900,
Jacksonville, Florida 32203, appeared on behalf of the
Respondent.

ORIGINAL

1 ALSO PRESENT:

2 ROBERT J. BARNAS

3 SHARON L. YEAGO

4

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1 Thereupon, following proceedings were had,

2 ROBERT J. BARNAS RECALLED

3 ALJ: Okay. Go ahead.

4 DIRECT EXAMINATION

5 BY MR. LITTLE:

6 Q. Mr. Barnas, was Mr. Regensdorf on the list of
7 members and supporters that the Concerned Citizens published
8 in the Alachua Today newspaper?

9 A. Yes, he was.

10 MR. LITTLE: And I think we put that into evidence
11 as B7.

12 ALJ: You did, and I also had testimony that he was
13 a member of the Concerned Citizens.

14 MR. LITTLE: Yes, ma'am.

15 BY MR. LITTLE:

16 Q. Did he publicly oppose the referendum?

17 A. Yes.

18 Q. How do you know that?

19 A. He posted on Friends Post and I also believe that an
20 e-mail that I saw and I know for sure there was a Friends Post
21 that he did, yes.

22 MR. LITTLE: Okay. And I think we put that into the
23 record, Your Honor.

24 ALJ: I remember seeing it.

25 MR. LITTLE: Okay.

1 MR. REGENSDORF: I think it's 6, I believe, Your
2 Honor, B6, I believe.

3 BY MR. LITTLE:

4 Q. Is this it?

5 A. Yes.

6 MR. REGENSDORF: I'm sorry. When people say is this
7 it.

8 MR. LITTLE: I'm going to show it to you. You don't
9 have to move when I'm examining here. If you will go
10 back over there, I'll bring it to you.

11 MR. REGENSDORF: That's not the B6 that's in
12 evidence.

13 MR. LITTLE: Let's check it out. May I approach,
14 Your Honor.

15 ALJ: Oh, yes. Absolutely. You don't have to
16 ask.

17 MR. LITTLE: Okay. This is what we are --

18 ALJ: I'm not finding B6. I don't have a 6.

19 MR. REGENSDORF: Maybe I can help you find it
20 because I saw it when I was looking through the
21 exhibits.

22 MR. LITTLE: Have you got it?

23 MR. REGENSDORF: We'll talk about it on cross. If
24 you can hand me the exhibits, I think I can find it,
25 Judge. It's a type written printed form. It has my

1 name.

2 ALJ: If it's any place, it's in here.

3 MR. REGENSDORF: I believe so.

4 MR. LITTLE: It may be in a trail of e-mails.

5 MR. REGENSDORF: No. Well, I said that. I guess I
6 could say I'm not a hundred percent sure what you're
7 looking for.

8 ALJ: If not, you can always supply me with another
9 one.

10 MR. LITTLE: Let's supply you with this one, Your
11 Honor.

12 MR. REGENSDORF: I believe it's a different copy.
13 Let's find the one that's been marked because there is a
14 significance to it perhaps.

15 MR. LITTLE: Here is a copy for you in any case.

16 MR. REGENSDORF: Okay. Okay. It's not in this
17 stack.

18 ALJ: Here, you can put in the one you think is
19 appropriate, otherwise I'm going to mark this as Barnas
20 6.

21 MR. REGENSDORF: Well, Your Honor, can we mark it as

22 --

23 ALJ: A.

24 MR. REGENSDORF: Yes. I'm sorry.

25 MR. LITTLE: Barnas 6A.

1 ALJ: Yes. Because when I went through all the
2 exhibits yesterday, I know I saw it.

3 MR. REGENSDORF: It's a one page piece of paper all
4 typewritten in black and white as I recall.

5 ALJ: Yes. And it may be stuck on the back of
6 something, but in the meantime 6A may not be the original
7 6.

8 MR. REGENSDORF: Well, I'm going to stand on
9 formality because there is a difference between that
10 document and what I think is 6A. It may turn out that 6A
11 is different.

12 ALJ: I understand. You're going to get the
13 opportunity to cross examine.

14 MR. REGENSDORF: I can't cross examine if I don't
15 find the document and it appears that we don't have
16 perhaps everything here.

17 ALJ: That may be.

18 MR. REGENSDORF: It's not a big point.

19 ALJ: If you want to put in the one that you have
20 that you think is the original 6 that came into
21 evidence.

22 MR. REGENSDORF: He put it in. I don't know that I
23 have a copy that's got the same markings as Mr. Little
24 does, but I will look.

25 ALJ: Because I counted all the exhibits

1 yesterday.

2 MR. REGENSDORF: It's here. It's not a function of
3 remembering it from the past. It's a function of I saw
4 it five minutes ago. I saw what I was looking for. Now
5 that may not be it.

6 MR. LITTLE: Your Honor, I wonder if we may
7 continue.

8 ALJ: You may continue.

9 MR. LITTLE: Okay.

10 MR. REGENSDORF: Before you do so, Joe, do you have
11 any documents there, Joe, that you pulled out to use in
12 your client's direct because I can't do both, look
13 through for the missing exhibit and listen to your direct
14 so....

15 MR. LITTLE: Well, you can sit down and look for the
16 exhibits later on.

17 MR. REGENSDORF: Of course I can, Joe, and if that's
18 what Her Honor asks me to do --

19 ALJ: That's what I want you to do.

20 MR. REGENSDORF: Yes, ma'am. That's what I'm going
21 to do then. Thank you. Here you go, Judge. These are
22 the only exhibits that I have to offer at this point.

23 MR. LITTLE: Mr. Barnas, I'm giving you a copy of 6A
24 that we would ask to be admitted into evidence, Your
25 Honor.

1 BY MR. LITTLE:

2 Q. Did you see that on the Friends Post?

3 A. Yes, sir.

4 Q. Did you copy it from there?

5 A. Yes, sir.

6 Q. Would you read the line that is bolded and
7 underlined at the bottom of the page?

8 MR. REGENSDORF: Isn't this repetitive, Your Honor?

9 ALJ: I'm sorry.

10 MR. REGENSDORF: Isn't this repetitive of what has
11 already been done on direct? He read over this document
12 and you put it into evidence. Read the bolded portion at
13 the bottom of the page.

14 ALJ: It's overruled.

15 MR. REGENSDORF: Okay.

16 ALJ: Go ahead.

17 BY MR. LITTLE:

18 Q. Would you read that?

19 A. So don't forget to vote today. Vote against the
20 proposed charter amendment. Vote no and vote for Byran
21 Williams and take your neighbors and friends to the polls as
22 well.

23 Q. Now, you filed a complaint with the Florida
24 Elections -- Did you file a complaint with the Florida
25 Elections Commission to start this, what has become this

1 proceeding?

2 A. Yes, sir.

3 Q. Did you file that complaint in retaliation for
4 having lost the court battle?

5 A. No, sir.

6 Q. Let's - I want to hand you a copy of that complaint.

7 MR. LITTLE: And, Your Honor, I think the complaint
8 is in Yeago 1. I have copies of that complaint.

9 MR. REGENSDORF: I have got it. Is it the
10 complaint?

11 MR. LITTLE: The complaint.

12 MR. REGENSDORF: Thank you. Yeago 1.

13 BY MR. LITTLE:

14 Q. Take a look at this, Mr. Barnas. Does this appear
15 to be the complaint that you filed without the exhibits that
16 you provided?

17 A. Yes, sir.

18 Q. Take a look at the first page of that complaint and
19 particularly look at the last paragraph beginning on the last
20 four lines, Sharon L. Yeago.

21 A. Yes, sir.

22 Q. And read to yourself that paragraph up through its
23 end on the next page.

24 A. I have read that.

25 Q. Have you read that?

1 A. Yes, sir.

2 Q. Now, is there anything in there that you did not
3 believe that was true at the time you filed this complaint?

4 A. No, sir.

5 Q. Is there anything in there that you don't believe is
6 true now?

7 A. No, sir.

8 MR. REGENSDORF: Well, I'm going to object. His
9 belief is irrelevant in this case so I move --

10 ALJ: Overruled.

11 MR. REGENSDORF: Okay.

12 BY MR. LITTLE:

13 Q. Now, page 3 of this complaint is a letter from you
14 to FEC; is that correct?

15 A. Yes.

16 Q. And that letter is how many pages?

17 A. Four.

18 Q. Did you write this letter?

19 A. Yes, I did.

20 Q. And sent it to FEC?

21 A. Yes, I did.

22 Q. Take a look at the first paragraph on page, I guess
23 it's the FEC number 000003 beginning High Springs is a small
24 town.

25 A. I have got it.

1 Q. Have you read that paragraph?

2 A. Yes, I have.

3 Q. Is there anything in there that you did not believe
4 that was true at the time you filed it?

5 A. No.

6 Q. Is there anything in there that you don't believe is
7 true today?

8 A. No.

9 Q. Take a look at the next paragraph beginning and if
10 FEC's actions affect and read that, please, to yourself.

11 A. I have read it.

12 Q. Is there anything in there that you did not believe
13 was true at the time that you submitted this complaint?

14 A. No.

15 Q. Is there anything in there that you do not today
16 believe to be true?

17 A. No.

18 Q. Take a look at the next paragraph beginning Florida
19 law has been written and, please, read that to yourself?

20 MR. REGENSDORF: Your Honor, if it will speed things
21 along, I will stipulate and concede that if asked each
22 question about each paragraph exactly as Mr. Little has
23 asked, the words that would come out of his mouth would
24 be identical. If Mr. Little or The Court wants to hear
25 that repeated, fine. I for one do not need to. I will

1 concede that that will be his statement in response to
2 each paragraph.

3 MR. LITTLE: Your Honor, I'm quite willing to put
4 the whole thing to Mr. Barnas in one question, but we
5 want to have on record that he --

6 ALJ: Overruled. Go ahead.

7 BY MR. LITTLE:

8 Q. Okay. Florida law, have we done that one? Florida
9 law has been written?

10 A. No.

11 Q. Okay. Please, read that.

12 A. Okay.

13 Q. Did you believe that everything stated in that
14 paragraph was true at the time you wrote it and submitted it
15 to FEC?

16 A. I do.

17 Q. And do you today believe everything there is true?

18 A. I do.

19 Q. Look at the paragraph beginning this complaint is a
20 complaint.

21 A. Yes.

22 Q. Read it to yourself, please.

23 A. Okay.

24 Q. When you wrote and submitted that, did you believe
25 that everything there was true?

1 A. Yes.

2 Q. Do you believe today that everything there is
3 true?

4 A. Yes, sir.

5 Q. Look at the next paragraph, please. I will detail
6 my obligations and read that paragraph to yourself.

7 A. Okay.

8 Q. Do you believe or did you believe at the time you
9 wrote and submitted that that everything there was true?

10 A. I do.

11 Q. Do you believe today that everything there is
12 true?

13 A. I do.

14 Q. Take a look at the paragraph beginning before the
15 November 12 election in High Springs and read that to
16 yourself.

17 A. Okay.

18 Q. Did you believe when you wrote and submitted that
19 that everything there was true?

20 A. Yes.

21 Q. Do you believe today that everything there is
22 true?

23 A. I do.

24 Q. Please, look at the paragraph, the next to last one
25 on the page beginning this complaint.

1 A. Okay.

2 Q. When you wrote and submitted that, did you believe
3 everything you wrote was true?

4 A. I did.

5 Q. Do you believe today everything you wrote there was
6 true?

7 A. I do.

8 Q. Please, look at the last paragraph on the page
9 beginning with expenditure and read it to yourself.

10 A. Okay.

11 Q. Did you believe when you wrote and submitted that
12 paragraph that everything you said there was true?

13 A. Yes.

14 Q. Do you believe it today?

15 A. Yes.

16 Q. That it's true. Please, turn to page 000004. At
17 the top of the page there is a paragraph beginning, again this
18 group had more than two people. Do you see that? Please,
19 read that paragraph to yourself.

20 A. Okay.

21 Q. When you wrote and submitted that paragraph, did you
22 believe everything you said there was true?

23 A. Yes.

24 Q. Do you believe today that everything you said there
25 was true?

1 A. Yes.

2 Q. Look at the next paragraph beginning this
3 organization used a disclosure and read that to yourself,
4 please.

5 A. Okay.

6 Q. Did you believe when you wrote and submitted that
7 that everything you wrote there was true?

8 A. I did.

9 Q. Do you believe now that everything there is true?

10 A. Yes.

11 Q. Please, look at the paragraph beginning what FS 106
12 covers and ready that to yourself, please.

13 A. Okay.

14 Q. Did, when you submitted, when you wrote and
15 submitted that, did you believe that everything you said was
16 true?

17 A. Yes.

18 Q. Do you believe that today?

19 A. Yes.

20 Q. Please, look at the paragraph below that that begins
21 with quotation of political committee which is organized and
22 read that paragraph to yourself.

23 A. Okay.

24 Q. Did you believe when you wrote and submitted that
25 that everything you said was true?

- 1 A. Yes.
- 2 Q. Do you believe it today?
- 3 A. I do.
- 4 Q. Look at the statement the next paragraph that begins
5 they never appointed a treasurer and read it to yourself.
- 6 A. Okay.
- 7 Q. Did you believe that statement was true?
- 8 A. Yes.
- 9 Q. When you submitted it?
- 10 A. Yes.
- 11 Q. Do you believe it now?
- 12 A. Yes.
- 13 Q. Please, look at the paragraph beginning quote "each
14 candidate for nomination" and read it to yourself.
- 15 A. Okay.
- 16 Q. Did you believe when you wrote and submitted that
17 that everything you said was true?
- 18 A. I did.
- 19 Q. Do you believe it now?
- 20 A. Yes.
- 21 Q. Please, look at the paragraph beginning never
22 appointed a registered agent.
- 23 A. Okay.
- 24 Q. When you wrote and submitted that, did you believe
25 that was true?

- 1 A. Yes.
- 2 Q. Do you believe it true now?
- 3 A. Yes.
- 4 Q. Please, read the paragraph beginning quote "each
5 political committee" and read it to yourself, please.
- 6 A. Okay.
- 7 Q. Did you believe when you wrote and submitted that
8 that everything you said was true?
- 9 A. Yes.
- 10 Q. Do you believe it now?
- 11 A. Yes.
- 12 Q. Please, read the next statement never filed timely
13 reports of the organization and read it to yourself.
- 14 A. Okay.
- 15 Q. When you wrote and submitted it, did you believe
16 that statement was true?
- 17 A. Yes, sir.
- 18 Q. Do you believe it now?
- 19 A. Yes.
- 20 Q. Please, read the next paragraph beginning quote
21 "each campaign treasurer" and read it to yourself, please.
- 22 A. Okay.
- 23 Q. When you wrote and submitted that, did you believe
24 it was true?
- 25 A. Yes.

1 Q. Do you believe it now?

2 A. Yes.

3 Q. Please, read the next paragraph, the following
4 information will be a timeline.

5 A. Okay.

6 Q. You have read it?

7 A. Yes.

8 Q. When you wrote and submitted that, did you believe
9 everything you said was true?

10 A. Yes.

11 Q. Do you believe it now?

12 A. Yes, sir.

13 Q. Please, read the next statement, again it is my
14 contention.

15 A. Okay.

16 Q. When you wrote and submitted that, did you believe
17 everything you said was true?

18 A. Yes, sir.

19 Q. Do you believe it now?

20 A. Yes.

21 Q. Please, read the next paragraph beginning on the
22 bottom of page 4 and continuing to the top of page 5 beginning
23 with while there are more than a hundred members. Read it to
24 yourself, please.

25 A. Okay.

1 Q. When you wrote and submitted that, did you believe
2 everything you said was true?

3 A. Yes.

4 Q. Do you believe it now?

5 A. Yes.

6 Q. Please, look at the next and read the next paragraph
7 again beginning the FEC needs to look.

8 A. Okay.

9 Q. When you wrote and submitted that, did you believe
10 everything you said was true?

11 A. Yes.

12 Q. Do you believe it now?

13 A. Yes.

14 Q. It's true. Please, look at the next statement, here
15 is a timeline.

16 A. Yes.

17 Q. When you wrote and submitted that, did you believe
18 that statement was true?

19 A. Yes.

20 Q. Do you believe it now to be true?

21 A. Yes.

22 Q. Please, read the next statement beginning during
23 early September 2012.

24 A. Okay.

25 Q. When you wrote and submitted that statement, did you

1 believe everything you said was true?

2 A. Yes..

3 Q. Do you believe it now?

4 A. Yes..

5 Q. Please, read the next statement on October 1st and
6 8, and read to yourself, please..

7 A. Okay..

8 Q. When you wrote and submitted that statement, did you
9 believe that everything you said was true?

10 A. Yes..

11 Q. Do you believe it now --

12 A. Yes..

13 Q. -- to be true.. Please, read the next statement,
14 they have a Facebook page and read that paragraph to yourself,
15 please..

16 A. Okay..

17 Q. When you wrote and submitted that statement, did you
18 believe everything you said was true?

19 A. Yes..

20 Q. Do you believe it now to be true?

21 A. Yes..

22 Q. Please, read the next paragraph beginning the
23 organization from early September..

24 A. Okay..

25 Q. When you wrote and submitted that statement, did you

1 believe everything you said was true?

2 A. Yes..

3 Q. Do you now believe everything there was true?

4 A. Yes..

5 Q. Please, read the next statement beginning these
6 meetings discussed the future of High Springs.

7 A. Okay..

8 Q. When you wrote and submitted that statement, did you
9 believe everything you said was true?

10 A. Yes..

11 Q. Do you believe it to be true now?

12 A. Yes..

13 Q. Please, read the next statement that the candidate
14 forum at the High Springs Womens Club and read it to yourself,
15 please.

16 A. Okay..

17 Q. When you wrote and submitted that statement, did you
18 believe everything that you said was true?

19 A. I did..

20 Q. Do you now believe everything you said was true?

21 A. Yes..

22 Q. Please, read the last statement on the bottom of the
23 page and continuing to the top of page 6 beginning this
24 organization gathered names. Read it to yourself, please.

25 A. Okay..

1 Q. When you wrote and submitted that paragraph, did you
2 believe everything you said was true?

3 A. Yes.

4 Q. Do you now believe everything you said there was
5 true?

6 A. Except for the fact that the newspaper was put out
7 on November 1st instead of October 31st.

8 Q. All right. Which statement is --

9 A. This organization on October 31st placed a full page
10 ad. It was actually placed on November 1st.

11 Q. November 1st. Apart from that correction is
12 everything there, did you believe everything there -- Well,
13 let me ask the question again. At the time you wrote it, did
14 you believe what you said was true?

15 A. Yes, sir.

16 Q. Today do you believe everything you said was true?

17 A. With the correction to November 1st.

18 Q. Okay. Please, read the next statement beginning
19 during the pre-election period.

20 A. Okay.

21 Q. At the time you wrote and submitted that statement,
22 did you believe everything that you said was true?

23 A. Yes.

24 Q. Do you now believe everything you said was true?

25 A. Yes.

1 Q. Please, read the next statement beginning I have
2 included additional pages.

3 A. Okay.

4 Q. At the time you wrote and submitted that statement,
5 did you believe everything was true?

6 A. Yes..

7 Q. Do you believe now that everything you said was
8 true?

9 A. Yes..

10 Q. Please, read the next statement beginning other
11 expenditures..

12 A. Okay..

13 Q. The whole paragraph. You read the whole paragraph?

14 A. Yes..

15 Q. When you wrote that paragraph, did you believe
16 everything you said was true?

17 A. Yes..

18 Q. Do you now believe everything you said was true?

19 A. Yes..

20 Q. Please, read the next statement beginning this
21 organization certainly..

22 A. Okay..

23 Q. At the time you wrote that, did you believe what you
24 said was true?

25 A. Yes..

1 Q. Do you today now believe what you said was true?

2 A. Yes..

3 Q. Please, read the next statement beginning this
4 organization after the election..

5 A. Okay..

6 Q. When you wrote that and submitted it, did you
7 believe everything you said was true?

8 A. Yes..

9 Q. Do you now believe everything you said was true?

10 A. Yes..

11 Q. Please, read the next statement beginning this
12 complaint going up to the colon at the end of the word violate
13 and read to yourself, please..

14 A. Okay..

15 Q. When you wrote and submitted that statement, did you
16 believe everything you said was true?

17 A. Yes..

18 Q. Please, read item number 1 to yourself, please..

19 A. Okay..

20 Q. When you wrote and submitted that statement, did you
21 believe that what you said was true?

22 A. Yes..

23 Q. Do you believe today what you said was true?

24 A. Yes..

25 Q. Please, read item number 2..

1 A. Okay.

2 Q. When you wrote and submitted that statement, did you
3 believe what you said was true?

4 A. I did.

5 Q. Do you believe today that what you said was true?

6 A. Yes.

7 Q. Please, read number 3.

8 A. Okay.

9 Q. When you wrote and submitted that statement, did you
10 believe that everything you said was true?

11 A. Yes.

12 Q. And do you today believe what you said was true?

13 A. Yes.

14 Q. Please, read number 4.

15 A. Okay.

16 Q. Have you read it?

17 A. Yes.

18 Q. When you wrote and submitted that statement, did you
19 believe what you said was true?

20 A. Yes.

21 Q. Do you now believe what you said was true?

22 A. Yes.

23 Q. Please, read number 5.

24 A. Okay.

25 Q. When you wrote and submitted that statement, did you

1 believe what you said was true?

2 A. I did.

3 Q. Do you now believe what you said is true?

4 A. I do.

5 Q. Mr. Barnas, did you think you had an obligation at
6 the time you submitted that complaint to FEC that to submit
7 the complaint?

8 MR. REGENSDORF: Object to the form. Irrelevant.

9 ALJ: Sustained. Rephrase your question.

10 BY MR. LITTLE:

11 Q. Why did you file the complaint, Mr. Barnas?

12 A. I felt that there was a need to file it because I
13 firmly believe that we had a political committee working in
14 High Springs and that was not properly registered.

15 Q. Were you under a duty to file it?

16 MR. REGENSDORF: Objection to form. Irrelevant.

17 ALJ: Sustained.

18 BY MR. LITTLE:

19 Q. Were you a sponsor of the proposed -- Or let me ask
20 you this: Who sponsored the proposed debt limitation
21 ordinance in the city of High Springs?

22 MR. REGENSDORF: Objection. Redundant. We have
23 already gone over this exact line of questioning by
24 Mr. Little.

25 ALJ: We have.

1 MR. LITTLE: Okay.

2 BY MR. LITTLE:

3 Q. Okay. Why did you propose or why was the city of
4 High Springs proposing that ordinance?

5 MR. REGENSDORF: Same objection.

6 ALJ: I think it's already been covered. Are you
7 adding anything to that?

8 MR. LITTLE: Well, we want to talk about the
9 policies that supported the adoption of the ordinance,
10 Your Honor.

11 ALJ: What's the policy of the ordinance got to do
12 with this hearing?

13 MR. LITTLE: Well, Your Honor, if you let me
14 continue, I think that will be become clear.

15 ALJ: Explain it to me now because I have already
16 heard some of the policy reasons behind this just in
17 brief.

18 MR. LITTLE: Well, the thing that we are going to
19 show is that the Concerned Citizens published, and we
20 have already put this into evidence, a document called
21 five key principal areas of concern.

22 ALJ: Yes.

23 MR. LITTLE: And number 5 in that particular
24 situation document was in Mr. Barnas' view expressed
25 advocacy against the adoption of the ordinance. In

1 addition, in the so-called disclaimer on the Concerned
2 Citizens statement there is a statement those of you who
3 are supportive of our goals.

4 ALJ: Yes.

5 MR. LITTLE: May join.

6 ALJ: Yes.

7 MR. LITTLE: And I want to establish from
8 Mr. Barnas' statement that he would not have been able to
9 join that organization Concerned Citizens for the city of
10 High Springs because he was not supportive of its goals
11 which were, of course, to oppose in his view to oppose
12 the adoption of that ordinance.

13 ALJ: What has that got to do with whether she gets
14 her attorney's fees? What has that got to do with it?

15 MR. LITTLE: Well, it has to do with his good faith
16 and what he was doing, Your Honor. They have the
17 burden.

18 ALJ: I don't see it, but okay. I don't see it.
19 You have not convinced me that that's even relevant.

20 MR. LITTLE: Okay.

21 BY MR. LITTLE:

22 Q. Mr. Barnas, were you aware that for a political
23 committee to be required to make various reports that it must
24 be involved in expressed advocacy for or against a political
25 issue or candidate?

1 A. Yes.

2 Q. Did you look for or did you find a definition of
3 that term in the statutes?

4 A. No.

5 Q. Did you look for it?

6 A. Yes.

7 Q. Where else did you look in addition to the
8 statutes?

9 A. I looked at the FEC website.

10 Q. The Florida Elections Commission?

11 A. Florida Elections Commission website and I couldn't
12 find a definition for expressed advocacy.

13 Q. Did you have an opinion about whether that item 5 in
14 the five key principals of concern was constituted expressed
15 advocacy?

16 A. Absolutely.

17 Q. You had an opinion. What was your opinion?

18 A. Therefore we believe was used. Supportive of our
19 goals was used. And I felt they were, they said they were
20 looking for supporters that supported their goals so it was
21 certainly in my mind aligning between expressed advocacy and
22 support for opposing the ballot issue.

23 Q. Did Ms. Yeago serve you with a copy of her response
24 to your complaint?

25 MR. REGENSDORF: Objection. We have gone over this,

1 Your Honor.

2 ALJ: Sustained. You already filed that.

3 MR. LITTLE: I would like to look to Ms. Yeago's
4 response to your complaint. Have you got a copy,
5 Mr. Regensdorf?

6 MR. REGENSDORF: I don't, but if you talk slowly,
7 I'll have it before you get too deep into it.

8 MR. LITTLE: Well, I can give you a copy.

9 MR. REGENSDORF: If you have a copy, that will save
10 me some time. Thank you. This is Yeago 2 in evidence.

11 BY MR. LITTLE:

12 Q. I would like you to look at page 10, Mr. Barnas.

13 A. Okay.

14 Q. And under A, paragraph A, five lines down there is a
15 sentence beginning the materials?

16 A. Okay.

17 Q. Would you read that sentence for us, please.

18 A. The materials on their face demonstrate that the
19 Concerned Citizens Group clearly published their list of
20 principals and mission statement and none of them addressed
21 directly or indirectly either the issue of the charter
22 amendment nor the - or defeat of that matter nor the election
23 of any individual.

24 Q. Do you agree with that?

25 A. No.

1 Q. And did you have an opportunity to respond to that
2 before FEC decided on this insufficiency?

3 A. No.

4 Q. Let's take a look on page 11 and look down from the
5 top of the page until about the line 8 and there is a sentence
6 beginning those matters?

7 A. Okay.

8 Q. Let's read the sentence before beginning the group.
9 Do you see that?

10 A. The group was not formed to oppose a charter
11 amendment provision nor to advocate for or against any
12 candidate.

13 Q. Read the next sentence.

14 MR. REGENSDORF: Excuse me. I have a short witness.
15 I'm not asking anything out of order whatsoever. She's
16 here in the courtroom. Nobody invoked the rule. I don't
17 really care, but I don't want to get caught short if
18 there is some argument later. The rule has not been
19 invoked and I don't care what The Court's pleasure is, if
20 you would like her to sit outside or --

21 ALJ: I don't care one way or the other.

22 MR. LITTLE: Well, Your Honor, I have no idea who
23 this witness is or what she is going to say so we would
24 like her to sit outside.

25 ALJ: Have her sit outside.

1 MR. REGENSDORF: That's fine.

2 ALJ: Go ahead.

3 BY MR. LITTLE:

4 Q. Okay. So, please, read the two sentences beginning
5 with the group.

6 A. The group was not formed to oppose a charter
7 amendment provision nor to advocate for or against any
8 candidate. Those matters are simply not addressed whatsoever
9 in the formative documents of this organization.

10 Q. And do you agree with that?

11 A. No.

12 Q. Did you have a chance to respond?

13 A. No.

14 Q. If you had known of these, would you have
15 responded?

16 A. Certainly. Yes.

17 Q. Take a look on page 16 of this response. Look at
18 the third sentence under B beginning with he has.

19 A. He has acted before this commission in direct
20 violation of this commission's rules and of Florida Statute
21 106.265.

22 Q. Read the next sentence.

23 A. He has filed a complaint which is on its face false,
24 vindictive, malicious and actionable under Florida law.

25 Q. And did you have any opportunity to respond to

1 that?

2 A. No.

3 Q. Would you have?

4 A. Yes.

5 Q. What was the date of the election?

6 A. November 6th, 2012.

7 Q. When did you file the complaint?

8 A. April 1st, 2013.

9 Q. So that's six months later? Five months later?

10 A. Five.

11 Q. Was it possible for your complaint to affect the
12 outcome of the election?

13 A. No.

14 Q. What was the vote count on the matter?

15 A. 1801 for. 885 against. The matter passed by more
16 than 50 percent.

17 Q. So apparently the voters thought it was a good
18 public policy?

19 MR. REGENSDORF: Object to form.

20 ALJ: Sustained. I don't think it's relevant what
21 the voters thought.

22 MR. LITTLE: Your Honor, I would just like to -- I'm
23 about finished.

24 ALJ: Okay.

25 MR. LITTLE: I would like to simply, and this may be

1 somewhat repetitive, but I just want to make sure we get
2 the dates right in the record and have them in one place
3 so I want to ask him when did you file your complaint.
4 When did Yeago file her response.

5 ALJ: Well, that's all in the record already.

6 MR. LITTLE: All right. Then if that's the case, I
7 have no further questions of this witness.

8 ALJ: Okay. Cross.

9 MR. REGENSDORF: Yes. Your Honor, I really need to
10 spend a couple minutes because the exhibits just aren't
11 right so if we can take a short break so I can go through
12 them.

13 ALJ: Let's take ten minutes.

14 MR. REGENSDORF: That's fine. Thank you.

15 (Short recess.)

16 ALJ: Back on the record. Go ahead.

17 MR. REGENSDORF: Yes, ma'am. Thank you. May it
18 please The Court.

19 CROSS EXAMINATION

20 BY MR. REGENSDORF:

21 Q. Good morning, Mr. Barnas. How are you doing
22 today?

23 A. Great.

24 Q. Good. Any reason today that you're unable to
25 testify clearly and accurately as best you can recall? Any

1 medical reasons? Any medication you are on? Anything of that
2 sort, sir?

3 A. No.

4 Q. Okay. We were last in a proceeding in this case
5 almost exactly two months ago, late February of this year. In
6 the intervening two months have you reviewed any of your
7 files, any of those many documents that you have produced
8 which you kept on various people, et cetera, have you reviewed
9 any of those files to prepare for your testimony here today?

10 A. Yes.

11 Q. What did you review?

12 A. The complaint.

13 Q. Okay. Your complaint meaning the complaint exhibit
14 1, Yeago exhibit 1, is that the document you're talking
15 about?

16 A. Correct.

17 Q. The one you just went through paragraph by paragraph
18 that you said you believe it and believed it then, is that the
19 document you're talking about?

20 A. Yes.

21 Q. Anything else from your files that you reviewed in
22 preparation or to do anything to get ready for today's work?

23 A. No.

24 Q. Did you reread your deposition? We took your
25 deposition on February 21st immediately before the hearing.

1 Did you reread that deposition, sir?

2 A. I don't think I saw -- I went and looked at, I think
3 I went and looked at one or two paragraphs.

4 Q. You created an errata sheet. I understand that.
5 But I'm talking about in the last six weeks?

6 A. No.

7 Q. Have you had opportunity or did you I should say
8 read your deposition again?

9 A. No.

10 Q. All right. I also prepared a transcript or had our
11 court reporter prepare a transcript of every word that was
12 said in the proceeding on February 25th. Did you read through
13 that?

14 A. No.

15 Q. Did you ask to read through that? Did you seek to
16 get a copy of that to refresh it for your testimony here
17 today?

18 A. No.

19 Q. Did anyone read any parts of it to you?

20 A. No.

21 Q. As best you can recall, do you in any way retract or
22 rescind any of the testimony that you gave under oath in this
23 court, not this building, but at this tribunal on February
24 25th?

25 A. There was one item in there that I gave her a note

1 about. Yes, there was.

2 Q. I'm sorry. You gave her a note about, what are you
3 talking about?

4 A. When you read the - when I went to go review one or
5 two lines in that transcript, I filled out a form for that
6 lady at that office.

7 Q. That was the deposition transcript. I realize the
8 term may not be comfortable with you. When we met in the
9 court reporter's office in downtown Gainesville on that rainy,
10 rainy afternoon, that was a deposition and I took your
11 testimony, Mr. Little was there, and there was a female court
12 reporter.

13 A. Okay.

14 Q. You did fill out a small form with respect to
15 changing some technical words in a particular answer. Do you
16 recall that?

17 A. Yes.

18 Q. That's a deposition.

19 A. Okay.

20 Q. But my question though related to the sworn
21 testimony you gave under oath in this proceeding in the work
22 comp hearing offices on 34th, as I remember.

23 A. Okay.

24 Q. Did you review that transcript?

25 A. No.

1 Q. Did you ask to review that transcript?

2 A. No.

3 Q. Were you told not to review that transcript?

4 A. No.

5 Q. Do you, sir, as you sit here today retract or back
6 off any of the sworn testimony that you gave to the court on
7 that day February 25th?

8 A. No.

9 Q. Have you filed any written complaints against any
10 other people in the city of High Springs since February
11 25th?

12 MR. LITTLE: Objection to the question.

13 ALJ: Why is it relevant?

14 MR. REGENSDORF: Very clearly, Your Honor, as
15 Mr. Little has argued, his mind set is what this case is
16 about, both a legal mind set and an actual mind set. He
17 has spent all day this morning trying to show what he
18 believed and I will at the end of the case today again
19 proffer the previous complaints which will in my opinion
20 are clearly relevant under 404 to his mind set and that's
21 what 90.404 similar prior acts is specifically for. The
22 rule of evidence should allow that testimony. I'm simply
23 asking now for any new complaints that he has filed since
24 that time.

25 ALJ: I'll give you a little leeway.

1 BY MR. REGENSDORF:

2 Q. Have you filed any complaints since that time?

3 A. Be more specific, please.

4 Q. Well, is there some complaint that you are thinking
5 about that perhaps my question didn't nail precisely enough?

6 MR. LITTLE: Object to the question.

7 BY MR. REGENSDORF:

8 Q. Let's start off this way. Have you filed any
9 written complaints with any governmental body against anyone
10 else in the city of High Springs in the last two months?
11 You're pondering.

12 A. Pondering. Well, I'm pondering if an e-mail to a
13 city manager complaining about something is considered a
14 written complaint.

15 Q. Were you complaining about a violation of the law?

16 A. I'm not sure.

17 Q. Well, okay. You did complain very publicly in the
18 city of High Springs about a claim of nepotism under Chapter
19 112 of the Florida Statutes and under the city's employment
20 practices, correct?

21 A. No.

22 Q. Not in writing, but you made public statements
23 charging people with violating --

24 MR. LITTLE: Objection.

25 MR. REGENSDORF: Excuse me. Let me finish my

1 question, please, Mr. Little.

2 BY MR. REGENSDORF:

3 Q. You did make very public complaints not in writing
4 that I know of, but verbally accusing the city manager and/or
5 the mayor of violating another Florida Statute Chapter 112,
6 correct, sir?

7 A. No.

8 Q. You did not?

9 A. No.

10 Q. What am I missing? You were all over every TV
11 station in the city of Gainesville --

12 MR. LITTLE: Objection.

13 BY MR. REGENSDORF:

14 Q. -- complaining that there was nepotism. There was a
15 violation of Chapter 112.

16 A. I never filed a complaint of nepotism.

17 Q. I didn't say you filed a complaint, sir. You made a
18 verbal complaint.

19 A. That's what you said.

20 Q. I didn't say a written complaint. I tried to draw
21 the distinction very, very carefully. You will agree. Have
22 you filed any written complaints? Things like exhibit 1 where
23 you spent time in looking into the law, checking the facts and
24 make sure they are correct and swear under oath. I know what
25 a complaint is and you do, too. Have you filed any of those

1 documents?

2 MR. LITTLE: Your Honor, I object to this argument.

3 ALJ: I agree. You need to rephrase that whole
4 question.

5 MR. LITTLE: He is just arguing, Your Honor, and
6 using this tribunal as well as the witness.

7 ALJ: Rephrase your question.

8 BY MR. REGENSDORF:

9 Q. Have you filed any written complaints like the one
10 you filed against Ms. Yeago with any governmental body in
11 writing? Let's start off with that.

12 A. No.

13 Q. Have you made orally any charges against anybody,
14 any complaints that there have been violations of statutes
15 specifically Chapter 112 concerning nepotism in the city of
16 High Springs?

17 A. No. No.

18 Q. What did you argue in those TV reports then, sir?

19 MR. LITTLE: Object to the question.

20 MR. REGENSDORF: Well, there's a reason for it, Your
21 Honor, because -- Let me go one step further.

22 ALJ: Well, it's overruled for now. Do you
23 understand the question?

24 MR. LITTLE: Your Honor, may I say this. There is
25 no predicate --

1 ALJ: That's --

2 MR. LITTLE: -- for his statement.

3 MR. REGENSDORF: How do you lay a predicate except
4 asking him if he did that?

5 ALJ: I'm not here to instruct you how to lay a
6 foundation for a question.

7 MR. REGENSDORF: I agree. I think the objection was

8 --

9 ALJ: Right now it's overruled.

10 MR. REGENSDORF: Okay.

11 ALJ: Did you understand the question?

12 BY THE WITNESS:

13 A. No. Rephrase.

14 ALJ: Okay.

15 BY MR. REGENSDORF:

16 Q. Did you verbally accuse either the mayor or the city
17 manager of violating the nepotism laws of the State of
18 Florida?

19 A. No.

20 Q. What did you say about the nepotism allegations that
21 were in the city of High Springs in the last two months?

22 MR. LITTLE: Your Honor, this is not relevant to the
23 issue we have before us.

24 ALJ: I'm really leaning your way. Why is any of
25 this relevant?

1 MR. REGENSDORF: Well, because, Your Honor, as
2 Mr. Little emphasized in his questioning of this man on
3 his direct over an objection, as a matter of fact, that
4 the mind set of this man is important.

5 ALJ: It is.

6 MR. REGENSDORF: But the point is, Your Honor, under
7 404 similar prior acts or now a subsequent act where a
8 similar allegation was made and again found to be without
9 basis where he backed off of it, is again relevant as to
10 mind set. It shows a deliberate and consistent pattern
11 of these complaints and therefore the I believe I'm a
12 good boy type self-serving testimony which may be
13 admissible is unbelievable and that's my point.

14 MR. LITTLE: Your Honor, the fancy words, the
15 accusations that were made here and in the complaint
16 don't add anything to the relevancy question before the
17 court.

18 MR. REGENSDORF: I can't believe that we're arguing
19 a relevance problem because 404 doesn't say it's not
20 relevant. 90.404 says it absolutely is relevant. The
21 question is is it admissible and if it's similar enough
22 and I have proffered the evidence of the four similar
23 complaints similarly found --

24 ALJ: No. No. No. No. It goes much deeper than
25 that and that is similar complaints, I mean, they are

1 very fact specific and that's where you're going to fall
2 flat on your face, but I'm going to give you a little
3 leeway, but I am not going to give you much more unless
4 you get this tied up.

5 MR. REGENSDORF: Okay.

6 BY MR. REGENSDORF:

7 Q. Eventually, Mr. Barnas, the complaint, the
8 statements with respect to potential nepotism in the city of
9 High Springs were found to be without basis because the person
10 was not in the necessary degree of consanguinity or
11 relationship, correct?

12 A. Correct.

13 Q. And at that point you stated publicly that I guess
14 my complaint has no legs. Those were your exact words, were
15 they not, sir?

16 A. Yes.

17 Q. Have you sent any additional e-mails on your city
18 e-mail account to any governmental entity with respect to
19 private business since February 25th, 2014?

20 A. I believe I have sent one to FDLE.

21 Q. I'm going to give you the benefit of the doubt that
22 that may have been government business in some way. But the
23 e-mails you sent to the FEC in this case from your city
24 account were clearly personal business, correct?

25 A. Yes.

1 Q. I'm just trying to find out whether you generated
2 any other public e-mails on private business since February
3 25th, 2014?

4 A. Not that I recall.

5 Q. Have you sent any e-mails of any sort to anyone
6 with respect to this case since February 25th, 2014?

7 A. No.

8 Q. Have you spoken with anyone concerning this case,
9 any people to find factual allegations, to double check
10 things, to find possible late discovery witnesses, anything of
11 that nature since February 25th, 2014?

12 A. I think one.

13 Q. Who was that, sir?

14 A. Sandra Webb at the bank.

15 Q. Have you looked through your city e-mail account,
16 meaning the one for High Springs, to see whether there are any
17 other e-mails other than the ones in October of 2013 on this
18 matter that you sent to anyone?

19 A. No.

20 Q. Did you ask anyone else to do that?

21 A. No.

22 Q. Mr. Little took you through your complaint in this
23 case and asked you about every single paragraph. Do you have
24 a copy of that complaint still in front of you, sir?

25 A. Yes.

1 Q. Okay. I want to draw your attention to the first
2 page of your letter which is page 3 in the FEC numbering and
3 the very first paragraph.

4 ALJ: Is that my exhibit 1 you have?

5 MR. REGENSDORF: It is not, Your Honor.

6 ALJ: What page were you on?

7 MR. REGENSDORF: It's actually the first page
8 letter. I think it's the fifth page of that document.
9 It's the first page of his letter. It is the fifth page
10 of that document, a very faint Bates number at the
11 bottom.

12 BY MR. REGENSDORF:

13 Q. Do you have that document in front of you,
14 Mr. Barnas?

15 A. Yes.

16 Q. In there in April of 2013 you stated that the law
17 was clear. In fact, you quote it later on. Have you done any
18 research on the law with respect to political committees and
19 what they have to do since February 25th, 2014?

20 A. Since February 5th?

21 Q. 25th. Since the hearing. Since the hearing.

22 A. Since the hearing at the FEC?

23 Q. No. No. No, sir. Since the hearing before this
24 Judge on February 25th at the Workers' Comp building, have you
25 done any legal research to bolster or not your conclusions,

1 your opinions that you came to concerning the law and the
2 actions of the Concerned Citizens Group and my client Ms.
3 Yeago?

4 A. No additional research.

5 Q. Now, in your direct examination Mr. Little asked
6 you, this was back two months ago, he asked you why you filed
7 this complaint and your answer was that you wanted a fair
8 playing field. Do you remember that answer to that
9 question?

10 A. Yes.

11 Q. Now, it may have been cleared up this morning. You
12 were asked whether this complaint was filed to influence the
13 election. This complaint was filed six months after the
14 election, correct?

15 A. Yes.

16 Q. This has no impact whatsoever on the election; is
17 that correct?

18 A. Not that election.

19 Q. By the time of that election -- I'm sorry. By the
20 time you filed this complaint, the district judge in this very
21 courthouse, could have been in this courtroom had already
22 ruled that the ordinance that was the subject of all of this
23 was void Ab initio, correct, and it had been stricken,
24 correct?

25 A. I don't recall the date, but at some point, yes.

1 Q. Well, you do recall that immediately before the
2 election he ruled on a temporary basis that it appeared that
3 the complainant, which was not Ms. Yeago, it was somebody
4 else, would succeed on the merits and therefore he granted a
5 temporary injunction against that law going into effect
6 whatever happened in the election, correct? October 31st.

7 A. He allowed it to go the ballot and there was some
8 type of injunction.

9 Q. Sure. And then on December 17th I believe a further
10 hearing was held and the city acknowledged that the ordinance
11 was in fact invalid and inappropriately passed, correct, and
12 it conceded to be void Ab initio, correct?

13 A. I believe there was an agreement that it was void Ab
14 initio. I don't know the particulars but...

15 Q. I'll accept that. I'll accept that. And that all
16 happened before you filed this complaint, correct?

17 A. Correct.

18 Q. Now, for months in your blog some of which is in
19 evidence you told the people whoever was reading your blog or
20 website that you were going to be filing this complaint
21 against the Concerned Citizens Group because you felt they
22 were a political committee, correct?

23 A. Correct.

24 Q. Now, after the Elections Commission ruled against
25 you, did you ever publish on your website an acknowledgement

1 A. Yes.

2 Q. Page 80, line 12. I'll let Joe get his copy out.

3 MR. LITTLE: I have got it.

4 BY MR. REGENSDORF:

5 Q. Okay. When did you first begin to consider filing a
6 complaint against the Concerned Citizens group or any member
7 of the Concerned Citizens group?

8 Answer: I would guess shortly after they formed,
9 probably in September 2012.

10 And let me give you the balance of that.

11 I said okay. And why were you already thinking
12 about a complaint against them as early as that before the
13 election?

14 Answer: Let me rephrase or let me reanswer that
15 question now that I think about it.

16 I said sure.

17 Answer: I saw, whatever date I saw the disclaimer
18 is when I would have first thought about it so I can't
19 remember exactly. I know I saw the disclaimer online, I
20 believe, October 3rd on their Facebook.

21 Okay?

22 A. That would be a correct statement.

23 Q. All right. So as soon as you saw this group or at
24 least a disclaimer as you describe it you were already
25 thinking about bringing an Elections Commission complaint

1 me to cite it and I'll brief it when the time comes in
2 the post hearing briefing, but when issues such as that,
3 we are talking about mind issues, issues that are
4 difficult to grab onto tangibly, are at issue, doing the
5 same thing repeatedly is or may be relevant and that's
6 why it is admissible. It is admissible subject to the
7 weight to be given by the trier of fact, trial judge
8 being able to determine that weight perhaps better than a
9 jury.

10 ALJ: Objection sustained. Move on.

11 BY MR. REGENSDORF:

12 Q. In terms of having a fair playing field then, which
13 was your standard, you certainly wanted to play fair yourself,
14 correct?

15 A. Certainly.

16 Q. So on page 3 of the complaint which we were just
17 talking about right after your description of the law is clear
18 you cited, because you had done some research, a consent order
19 which described political committees and acknowledged that you
20 have to have two or more people expressly advocate something,
21 something on a ballot, something on a ballot and you have to
22 spend \$500 performing actions to advance that expressed
23 advocacy, correct?

24 A. Correct.

25 Q. So you were comfortable with the law as you filed

1 this complaint, correct?

2 A. Correct.

3 MR. REGENSDORF: I'm sorry. I don't have a copy,
4 Joe. It's another FEC consent order.

5 MR. LITTLE: Is this in a different case?

6 MR. REGENSDORF: That's correct.

7 MR. LITTLE: Are you going to inquire of him?

8 MR. REGENSDORF: Yes.

9 BY MR. REGENSDORF:

10 Q. I would like to hand you that. Mr. Barnas, I have
11 just handed you or your attorney has a second consent order
12 also dealing with political committees and ask you to take a
13 look and see you if you have ever seen that document either
14 electronically or on paper?

15 A. I think it was presented at the last, at one of our
16 previous hearings.

17 Q. Actually it was not, and I'm not trying to trick you
18 in any way. You will notice the documents, the consent orders
19 have two numbers. One is a final order number and one is a
20 case number. Do you see that?

21 MR. LITTLE: Your Honor, I object to this. I don't
22 know where this is going. It doesn't seem to me to have
23 any relevance.

24 MR. REGENSDORF: Well, I'll be happy to spell that
25 out if Your Honor would like me to.

1 ALJ: Right now just establish what the document
2 is.

3 MR. REGENSDORF: Okay.

4 BY MR. REGENSDORF:

5 Q. Do you see it's got two different numbers on it at
6 the top right here?

7 A. Yes.

8 Q. Okay. I don't want you to assume it's the same one.
9 I want you to look through that document and tell me if you
10 recognize that document as the consent order that you did your
11 research on and cited to the commission as the source of the
12 clear law that you were relying upon?

13 A. The number matches.

14 ALJ: I'm sorry.

15 MR. REGENSDORF: The number matches.

16 BY THE WITNESS:

17 A. The number on top, the case number matches.

18 ALJ: Okay.

19 BY THE WITNESS:

20 A. But as I recall it's - I don't recall seeing that.

21 BY MR. REGENSDORF:

22 Q. Okay.

23 A. Reading that.

24 Q. Let me ask you to take a look at what we have marked
25 as exhibit 16. You now have in front of you --

1 MR. REGENSDORF: I'm sorry. Since we have been
2 talking about this, can I mark this document that has the
3 number that he says he's seen.

4 ALJ: I'm trying to remember my last number.

5 MR. REGENSDORF: I think I have got that for you,
6 Judge.

7 MR. LITTLE: Your Honor, I object to the
8 introduction into evidence.

9 ALJ: I'm marking it for identification.

10 MR. LITTLE: I don't mind you marking it.

11 MR. REGENSDORF: The last number was 18, Your Honor.

12 ALJ: That's what I was thinking. It's marked for
13 identification as Yeago 19.

14 MR. REGENSDORF: Thank you.

15 BY MR. REGENSDORF:

16 Q. Okay. Mr. Barnas, you now have in front of you two
17 documents, one which has the final order number that you put
18 into your letter and the other which has the case number
19 which you put into your letter, but you have indicated that
20 neither of these documents is the one that you looked at; is
21 that correct?

22 A. Again I don't recall.

23 Q. Well, take a minute before you just say that about
24 the document I handed you this morning and it's about a ten
25 page document. I would like you to look through it and see if

1 you can recognize that as the document that was a part of your
2 conclusion that the law is clear in this case.

3 A. I don't recall. I did not attach a copy. I don't
4 recall.

5 Q. And for some reason you did not save a copy; is that
6 correct?

7 A. Correct.

8 Q. Now, are you denying either one of these is the one
9 that you're relying upon because both of them describe the
10 clear and precise requirements for a political committee in
11 the State of Florida? Is that why you are not recognizing
12 either of these two documents as the one that you told the
13 commission was the clear law?

14 A. No.

15 Q. Why then are you denying that?

16 A. I don't recall.

17 Q. You will acknowledge it's got to be one of these
18 two, doesn't it?

19 MR. LITTLE: Your Honor, he's badgering the witness.

20 MR. REGENSDORF: Your Honor, this is --

21 ALJ: Overruled.

22 BY MR. REGENSDORF:

23 Q. It's got to be one of these two documents, doesn't
24 it, Mr. Barnas?

25 A. It may not be. I don't recall honestly.

1 MR. REGENSDORF: Your Honor, since this bears the
2 exact same number of the case number that Mr. Barnas
3 cited in his document that he swore to as he believes --

4 ALJ: I understand. This is like case law.

5 MR. REGENSDORF: Except that he cited it in the
6 document.

7 ALJ: He cited something.

8 MR. REGENSDORF: He cited FEC case number --

9 ALJ: I understand what numbers he used.

10 MR. REGENSDORF: Okay. I would like to offer this
11 document in evidence, Your Honor.

12 ALJ: Which one, 19?

13 MR. REGENSDORF: 19, yes, ma'am.

14 MR. LITTLE: Object. It's irrelevant to anything,
15 Your Honor.

16 ALJ: It's overruled. Admitted.

17 MR. REGENSDORF: Do you have it up there, Your
18 Honor? Okay. This is the other one.

19 ALJ: Okay.

20 MR. LITTLE: Could we identify what it is that's
21 been admitted?

22 MR. REGENSDORF: Good point. I will be happy to
23 read it into the record. The document is a Florida
24 Elections Commission consent final order in the case of
25 Florida Elections Commission, Petitioner, versus, Florida

1 House Victory, Inc.; Jeffrey Ryan, Chairman; and Sarah
2 Henning, Treasurer, Respondents, and it lists agency case
3 No.: FEC06-129 and then it lists F.O. That's final order
4 if you want to look at the website. F.O. No.:
5 DOSFEC08-054. I apologize. I don't have a copy of that
6 for either of us frankly.

7 BY MR. REGENSDORF:

8 Q. But as your attorney pointed out this morning, in
9 fact, Mr. Barnas, the clear requirements of the law was that
10 it required two or more people raising \$500 or more and
11 spending it in expressed advocacy for or against an issue on
12 the ballot for a candidate on the ballot, correct?

13 A. Correct.

14 Q. And you knew that full well. In fact, you quoted it
15 in your complaint, correct?

16 A. Correct.

17 Q. Your counsel asked you whether you found any law
18 before you filed that told you exactly what expressed advocacy
19 meant and you said you looked at, I think, the website. How
20 many opinions did you read on that website, sir?

21 A. One that I recall. One. This one.

22 Q. Of all the hundreds of opinions every year, how did
23 you just happen to find that one, do you remember?

24 A. No.

25 Q. Okay. And then you went on the website and you said

1 you didn't find any other explanation for what that meant,
2 correct?

3 A. No.

4 Q. No, that's not correct? Or yes, it is correct?

5 A. Yes, that's correct. I went to their website and
6 that's correct.

7 Q. Did it bother you that the phrase expressly suggests
8 that you must say or write something expressly? Did that
9 bother you when you were looking at the documents that you
10 threw together to support your complaint in this case?

11 A. No.

12 Q. Okay. Did you go to a lawyer and try to find out
13 what that phrase could possibly mean?

14 A. No.

15 Q. Did you review any of the case law reported under
16 that statute or similar ones to explain why the phrase
17 expressly advocated was put in the law?

18 A. No.

19 Q. And I gather that since February 25th you have made
20 no further attempt to try to find out what this phrase meant
21 that you weren't really sure of back in April of 2013,
22 correct?

23 A. Since February?

24 Q. Since the hearing you haven't looked for any law to
25 help explain or support your contention of what expressly

1 advocates means, have you?

2 A. I'm sorry, Your Honor. Which hearing? Since which
3 hearing?

4 Q. February 25th we had a hearing in this case. Do you
5 recall that? In this case. February 25th, 2014.

6 A. This case?

7 Q. This case right here.

8 A. Since then, no.

9 Q. When you were going through your complaint and asked
10 whether you believed it to be true, there are several places,
11 and I won't go through them all, but there are several places
12 where you say that this organization was specifically formed
13 to number 1, oppose this ordinance and, 2, to elect Byran
14 Williams. Now, since February 25th have you gone back to try
15 to see if there is any other evidence you could find that
16 might support that allegation in your complaint?

17 MR. LITTLE: Object to the question.

18 MR. REGENSDORF: What's the possible objection to
19 that, Mr. Little?

20 MR. LITTLE: I would like you to lay the predicate
21 for the statements that you gave in testimony to begin
22 the question.

23 MR. REGENSDORF: I think in cross examination it's
24 fine. I'll let my question stand.

25 ALJ: Overruled.

1 BY THE WITNESS:

2 A. I think I had one conversation with Sandra Webb.

3 BY MR. REGENSDORF:

4 Q. Other than the conversation, have you looked for any
5 expressed advocacy language in any documents to support your
6 contention that the Concerned Citizens and my client Ms. Yeago
7 expressly advocated anything?

8 A. Not since the hearing, but before I did.

9 Q. Okay. We have already covered up to the 25th. I'm
10 trying to plug the last hole here. I think I may have mixed
11 two concepts. We were talking about the organization was in
12 your allegations repeatedly formed to oppose this ordinance or
13 to elect Byran. And to make sure my question is clear, have
14 you done any research to find any additional evidence by way
15 of documents from this organization or Ms. Yeago to show why
16 the organization was formed?

17 MR. LITTLE: Your Honor, I object again on the same
18 grounds. Mr. -- the questioner here is tailoring the
19 question in a way that's not reflected in the complaint.

20 MR. REGENSDORF: I don't understand that objection.
21 It's cross examination.

22 ALJ: Yes, it's cross. It's overruled again.

23 MR. LITTLE: But is he intending --

24 ALJ: It's overruled again.

25 MR. LITTLE: All right, Your Honor. Thank you.

1 ALJ: That means you can answer.

2 BY THE WITNESS:

3 A. Rephrase the question.

4 BY MR. REGENSDORF:

5 Q. Sure. Sure. Let's just focus very simply. Since
6 February 25th when this court had a hearing you sat and gave
7 testimony. Since that time have you looked for any other
8 written documentation expressly advocating why this
9 organization was formed to oppose the ordinance or to elect
10 Byran Williams?

11 A. The only thing I have done is review the list of
12 discovery that I asked your client for and that would have
13 substantiated some of that and I never received it so...

14 Q. So you haven't looked at any documents, is that what
15 you're saying?

16 A. No.

17 Q. You understand that your complaint was filed under
18 oath, correct?

19 A. Correct.

20 Q. And although you were not sworn this morning before
21 you began your testimony, you understand that your testimony
22 today is a continuation of your sworn testimony from February
23 25th, do you not?

24 A. Yes.

25 Q. Okay. Which was also following your sworn testimony

1 from your sworn deposition?

2 MR. LITTLE: Object, Your Honor. He's just
3 badgering the witness. He's bullying the witness.

4 ALJ: Move along.

5 BY MR. REGENSDORF:

6 Q. Okay. Let me -- You understand you're under oath
7 when you give testimony today?

8 MR. LITTLE: Objection.

9 MR. REGENSDORF: I think that's appropriate since he
10 was not sworn this morning, Your Honor.

11 ALJ: He's still under oath as we all know and as he
12 has stated. Now move on.

13 MR. REGENSDORF: Okay.

14 BY MR. REGENSDORF:

15 Q. In Yeago exhibit 5 which was your exchange with the
16 Florida Elections Commission in October of 2013 where you were
17 trying to oppose the issue of attorney's fees, you made an
18 allegation that documents were altered and that a fifth point
19 was eliminated from one of the documents and you wrote altered
20 on the document. I'm not going to go over all of the
21 testimony we had about that. My question is since February
22 25th, have you looked anywhere else to see whether there is
23 any other support for your allegation that there was an
24 altered document by a lawyer in this case?

25 A. I have looked through all my documents that I have

1 ever collected on the organization, but only found that one
2 document that I referred to in my letter in your paperwork
3 submitted to the FEC. Nowhere else.

4 Q. So you haven't found any other argument that there's
5 been a change of the numbers from four points to five points
6 other than what you submitted in this document Yeago exhibit
7 5, correct? Because certainly to be fair you would want to
8 make sure that you got all the facts correctly stated,
9 correct?

10 MR. LITTLE: Object to this line of questioning,
11 Your Honor.

12 ALJ: You have a tendency, Mr. Regensdorf, to make
13 extra comments outside of your question. I'm going to
14 tell you right now it needs to stop.

15 MR. REGENSDORF: Yes, ma'am.

16 BY MR. REGENSDORF:

17 Q. Mr. Barnas, did you make any effort to locate any
18 additional documents to support your complaint in this
19 tribunal that there was an altered document?

20 A. I went to Facebook again, again, and again, and I
21 see the mission statement in various stages, some were four,
22 some were five on the Facebook page, two different versions,
23 maybe three different versions, one a copied disclaimer.
24 Maybe even four.

25 Q. Are these things that you have done since February

1 25th, Mr. Barnas?

2 A. Yes.

3 Q. Okay. Maybe my questions before weren't clear and I
4 apologize. What else have you done since February 25th in an
5 attempt to prepare yourself for this hearing today? I thought
6 we had gone through everything, but I obviously forgot to ask
7 you whether you went on Facebook. What else did you do?

8 A. Read my complaint and looked at the documents I
9 submitted. That's it.

10 Q. The documents you submitted with your complaint?

11 A. Right.

12 Q. And the Facebook postings, none of those since
13 February 25th were new, were they, concerning this matter?

14 A. They are the same ones.

15 Q. After looking at the four guiding principles and the
16 five areas of concern documents, do you think it's fair to
17 allege that the guiding principles document was altered
18 because there's been a removal of one of the five points?

19 MR. LITTLE: Object to the question, Your Honor.

20 He's been over this ground. This will be the third time.

21 MR. REGENSDORF: See, that's --

22 ALJ: Sustained.

23 MR. REGENSDORF: Well, okay. It's cross examination
24 of the direct.

25 ALJ: Sustained.

1 MR.. REGENSDORF: I understand what you're saying. I
2 wanted to have an opportunity to make a response to the
3 argument, Your Honor..

4 BY MR.. REGENSDORF:

5 Q. Mr. Barnas, in your direct testimony you, direct
6 testimony from your attorney at the end of the hearing on
7 February 25th, you stated that it was your belief that if one
8 member of a group supported a candidate in an election or
9 opposed a topic, that that would be attributable to the group
10 that that person was a member of. Do you recall that
11 testimony?

12 A. Yes..

13 Q. Then I asked you a question. I said, what if that
14 person was also a Republican, would that mean the Republicans
15 by virtue of the fact that the individual is also a Republican
16 supported something and you said yes. That would mean that
17 the Republicans did. And I assume if I asked you about if
18 that man were a Baptist and he was a member of a group of the
19 Baptist church, you would also agree that that would mean that
20 the Baptist church was --

21 MR. LITTLE: Your Honor, I object to this. It's not
22 going anywhere. He's done in before.

23 MR.. REGENSDORF: I'm cross examining a witness who
24 gave testimony as to his belief that the statement of one
25 person is imputed to a group even though it doesn't say

1 that the groups name is in it.

2 ALJ: What's your question?

3 BY MR. REGENSDORF:

4 Q. My question is, is it also your opinion that if a
5 person who expressed advocacy for an issue happened to be a
6 member of the Baptist church, that the Baptist church would
7 also have expressly advocated for that topic?

8 A. No.

9 MR. LITTLE: Object to the question.

10 ALJ: Sustained. You're getting redundant.

11 BY MR. REGENSDORF:

12 Q. Have you done any research, Mr. Barnas, on the issue
13 of whether a statement by a person who happens to be a member
14 of a group binds the group since February 25th of 2014?

15 A. No.

16 Q. Have you ever had, Mr. Barnas, a complaint filed
17 against you in your business or professional capacity? You
18 pause.

19 A. The Jerry Langman issues were.

20 Q. That was as a commissioner?

21 A. As a commissioner.

22 Q. Let's put that aside for the time being. Let's talk
23 about you in your personal, business or professional capacity
24 as a realtor?

25 MR. LITTLE: Yes or no.

1 BY THE WITNESS:

2 A. No,

3 BY MR. REGENSDORF:

4 Q. Okay. You would be concerned if someone filed a
5 complaint against you, would you not?

6 MR. LITTLE: Object to this line of questioning,
7 Your Honor.

8 ALJ: Where are you going?

9 MR. REGENSDORF: Where I'm going, Your Honor, is
10 that if one files a complaint against an individual
11 without considering the accuracy and the import of the
12 complaint and that complaint can affect a person's, in
13 this case reputation under the statute and their
14 professional standing in the community, that that affect
15 is something that without being reckless in reckless
16 disregard of the consequences a person should consider
17 prior to filing such a complaint. I'm trying to ask
18 Mr. Barnas in cross of the --

19 ALJ: It's not relevant to this proceeding. Move
20 on.

21 MR. REGENSDORF: His state of mind is not relevant?
22 Okay. I suggest that it is, but I'll move on. Your
23 Honor has ruled.

24 BY MR. REGENSDORF:

25 Q. In your complaint one of the paragraphs you were

1 asked to state that you believe is whatever it was, true I
2 believe, it's on page 3 of the letter which is page 5 of the
3 numbered sets and it's down near the bottom and the paragraph
4 begins so you can find it, the paragraph second from the
5 bottom begins at the candidate forum. Do you see that
6 paragraph, sir?

7 A. Yes.

8 Q. Okay. Now, you testified in your direct that you
9 put this paragraph in there because you wanted the Florida
10 Elections Commission to believe that the Concerned Citizens
11 Group endorsed or embraced Mr. Levine's statement. Do you
12 recall that testimony?

13 MR. LITTLE: Object to that question.

14 MR. REGENSDORF: Okay. What's your objection?

15 MR. LITTLE: Well, you're telling him what he
16 testified to on direct and then he didn't test -- If
17 you're talking about the direct that I had of him.

18 MR. REGENSDORF: I'm not familiar with that
19 objection. I can't imagine a more probable --

20 ALJ: You may ask him if he recalls what his
21 testimony was and you can paraphrase it in your question
22 because you're on cross.

23 MR. REGENSDORF: Your Honor, I thought I had.

24 MR. LITTLE: Your Honor, If I may, he continually
25 testifies and then asks a question that, in fact,

1 incorporates the testimony that he gives.

2 ALJ: I understand that.

3 MR. LITTLE: Yeah. And it's inappropriate.

4 ALJ: You need to establish what the testimony was
5 first.

6 MR. REGENSDORF: Well, I have been accused being now
7 wrong and unprofessional.

8 MR. LITTLE: Your Honor --

9 ALJ: Stop. You need to establish what his
10 testimony was first.

11 MR. REGENSDORF: Okay.

12 ALJ: And then you may ask whatever substantive
13 question you have.

14 BY MR. REGENSDORF:

15 Q. Do you recall testifying, sir, concerning
16 Mr. Levine's comment that you attached a portion of in your
17 complaint?

18 A. Yes.

19 Q. Do you recall testifying that your purpose of
20 putting it in there was to suggest that the Concerned Citizens
21 Group endorsed it and embraced that testimony or that
22 statement?

23 A. Yes.

24 Q. Now, do you have your complaint there in front of
25 you?

1 A. Yes.

2 Q. Okay. If you could turn, please, to the page that
3 you copied from the Facebook that includes Mr. Levine's
4 posting.

5 A. I don't have that in this one that you gave me.

6 Q. I'm sorry. I thought you had a complete one. Your
7 attorney gave you one without exhibits.

8 MR. REGENSDORF: Okay. Could I borrow The Court's
9 copy for a minute, Your Honor.

10 ALJ: Is this the comment where the guy says support
11 so and so and the members of the group jumped on him
12 right after that and said we're not here for that
13 purpose?

14 MR. REGENSDORF: You bet.

15 ALJ: I'm paraphrasing.

16 MR. REGENSDORF: You bet.

17 ALJ: Okay.

18 MR. REGENSDORF: Your recollection is correct. I
19 have also trouble reading what page it is, but it's about
20 20 pages in and about six from the back. It starts with
21 the words Gene Levine as of Friday night 9/28/2012.

22 BY MR. REGENSDORF:

23 Q. Okay. Do you have that document now in front of
24 you, sir?

25 A. Yes.

1 Q. Okay. Now, before you could place that in the
2 materials that you swore suggested that the Concerned Citizens
3 backed that concept, you had to print something off of the
4 Facebook page, correct?

5 A. Yes..

6 Q. And after you printed it, you had to cut it and
7 paste it onto something so that you could attach it to your
8 complaint, correct?

9 A. Yes..

10 Q. When you cut and pasted, the first thing you cut off
11 or the second thing you cut off actually was the date and time
12 that it was posted, correct? Is that document which was
13 attached to your complaint does not have the date or the time
14 that it was posted?

15 MR. LITTLE: Is that the same one he's got there?

16 BY THE WITNESS:

17 A. Why the one you're giving me doesn't have the date
18 and why the one that they have got marked 25 in our paperwork
19 has a date I don't know..

20 BY MR. REGENSDORF:

21 Q. I have no idea, sir. I'm looking at the one -- I
22 have handed you the one that's The Court's copy in evidence..

23 A. Well, there's two copies apparently that have marked
24 25 and this is the 25 date from the FEC, but there's a date on
25 there..

1 Q. Okay. I'll accept that. All I want to do is
2 establish the time. It was September 28th, 2012 at 9:16 p.m.,
3 correct?

4 A. Correct.

5 Q. Which was, in fact, a Friday night. If I proffer
6 that to you, will you accept that?

7 A. I'll accept that.

8 Q. Okay. But what you cut out from that was the very
9 next posting on Friday night posted at 9:45 p.m. only 29
10 minutes later; is that correct? I'm handing you what's been
11 marked in evidence as exhibit 8.

12 ALJ: This has already been gone over. Are you
13 going to add something new?

14 MR. REGENSDORF: I'm going to ask one question at
15 the end of this.

16 ALJ: All right.

17 BY MR. REGENSDORF:

18 Q. Because the very next posting 29 minutes later this
19 group was already saying, no, no. We don't do that. We are
20 not making political statements from this organization; is
21 that correct?

22 A. Correct.

23 Q. Now, you indicated that that reason you filed this
24 complaint was to obtain some fair playing ground. Do you
25 think it would have been fair since you were suggesting to the

1 Florida Elections Commission that the group endorsed this
2 statement and therefore endorsed Byran Williams, would it have
3 been fair and reasonable to attach the immediate comment from
4 the organization that says that's not us. We don't do that?

5 A. I don't - I don't understand the question. I really
6 don't.

7 Q. Well, you cut off that statement for a reason,
8 correct?

9 A. No. I cut off the statement what was particular to
10 my - to the issue. I could have posted the whole Facebook --

11 Q. Sure you could.

12 A. -- if that was the case.

13 Q. Sure you could.

14 A. In your concept of fair. I posted to my complaint
15 the statement that I felt was made on their website on their
16 Facebook that could have been deleted so they have the option
17 to delete that. They could have taken it off. They didn't
18 take it off. They left it on. That was my point.

19 Q. My question was, sir, using your standard, not the
20 legal standard, but using your standard which was a fair
21 playing field that in trying to convince the Florida Elections
22 Commission of what you were trying to say the Concerned
23 Citizens Group intended, don't you think it would have been
24 fair to include the immediate Friday evening at 9:45 p.m.
25 comment that that's not us saying that?

1 MR. LITTLE: Object. Asked and answered.

2 MR. REGENSDORF: I don't think he's answered it at
3 all.

4 ALJ: Sustained.

5 BY MR. REGENSDORF:

6 Q. There was testimony on February 25th from a lady
7 named Carol Daugherty who says that she spoke to somebody, she
8 couldn't identify who it was by name, who said something about
9 the borrowing limitation ordinance being linked to the
10 Concerned Citizens Group. You filed your complaint on April
11 3rd, 2013, correct? April 1st?

12 A. April 1st.

13 Q. Okay. April 1st. April Fool's Day, whatever. I
14 think it was received on April 3rd.

15 A. Right.

16 Q. You hadn't even talked to Carol Daugherty. You
17 didn't know anything about Carol Daugherty's comments when you
18 filed this complaint, correct, sir?

19 A. Correct.

20 Q. You weren't trying to suggest to this Court that
21 what she said had any bearing on your decision to file this
22 complaint, correct?

23 A. Not the original complaint, correct.

24 Q. All right. Turning back to your complaint, sir,
25 page 4 of your letter.

1 MR. REGENSDORF: And that would be, Your Honor, this
2 is in the complaint. I believe it's the seventh page in.

3 BY MR. REGENSDORF:

4 Q. The last page of your letter. Do you have that
5 document in front of you, sir?

6 A. Yes.

7 Q. In the second paragraph, first full paragraph you
8 again make reference to two four by four foot vote no posters,
9 correct, Mr. Barnas?

10 MR. LITTLE: He's asking you a question.

11 BY THE WITNESS:

12 A. Yes.

13 BY MR. REGENSDORF:

14 Q. Now, you have testified here that there was only one
15 sign at your voting booth, correct, at your voting station
16 where you were? Do you recall that?

17 A. Yes.

18 Q. Okay. Mr. Barnas, the sign which I just displayed,
19 and I will have a witness come in and talk about it in just a
20 minute, you have said is not the four foot by four foot sign
21 that said vote no, correct?

22 A. Correct.

23 Q. And you said it wasn't - there was only one of them
24 you said because the other one said other words and at the
25 bottom it had something about the Concerned Citizens for a

1 better High Springs. Do you recall that testimony?

2 A. Yes.

3 Q. Have you made any effort to locate this other four
4 foot by four foot sign that said vote no on it since February
5 25th, 2014.

6 A. No. I asked for it in discovery.

7 Q. Absolutely. You got pictures of it. And the
8 pictures of it, I'm not a hundred percent sure they were in
9 evidence. I think they were.

10 MR. LITTLE: I think not, Your Honor.

11 MR. REGENSDORF: Exhibit 10 for identification.

12 ALJ: I know --

13 MR. REGENSDORF: I have got them right here, Judge.
14 I have got them.

15 ALJ: Okay.

16 MR. REGENSDORF: I haven't lost them.

17 ALJ: Are they marked for identification?

18 MR. REGENSDORF: They are marked for identification.

19 BY MR. REGENSDORF:

20 Q. Just for purposes of identification flip through
21 those five photographs and tell me, and I'll be happy to turn
22 the sign around for you front and back, just tell me whether
23 those photographs are photographs of this sign?

24 A. They appear to be.

25 Q. Now, isn't it true, Mr. Barnas, that the reason

1 you're not acknowledging this as the sign is because it
2 doesn't say anything about Concerned Citizens on there and if
3 you acknowledge that was the sign, your allegation in this
4 paragraph is without any foundation; is that correct?

5 A. That's not correct.

6 Q. Have you brought with you today any of the witnesses
7 who you said could confirm your allegations concerning a four
8 foot by four foot vote no sign?

9 A. No.

10 Q. And I think you have already said you have no
11 photographs of any sign that existed on that day four foot by
12 four foot that said vote no and had all the other information
13 on it, correct?

14 A. I think I asked the newspaper and they said they
15 didn't have them or wouldn't give them to me, but I tried.

16 Q. Okay. You would agree that in fairness and truth if
17 this were the sign, you should acknowledge that it is before
18 this court under oath, correct?

19 A. If it were, I would.

20 Q. And just to do a very small point. Today you were
21 shown a document that has been marked as 6A. That's actually
22 a copy of an e-mail that I wrote that you posted on your
23 website. That's a print off of your website, correct?

24 A. No. It was off of Friends Post.

25 Q. Okay. Let me hand you what's in evidence already as

1 Barnas exhibit 4 which is that e-mail that I acknowledge
2 happily writing. First of all, did that e-mail in any place
3 say that I was writing on behalf of the Concerned Citizens
4 Group?

5 A. No.

6 Q. At the top of the page the posting information says
7 Regensdorf letter supporting vote no and Byran, Friday,
8 November 9, 2002, correct?

9 A. Correct.

10 Q. The e-mail was written before the election, correct?
11 Because it says vote for all the things that we have already
12 discussed, correct?

13 A. That's what I believe, yes.

14 Q. So somebody else posted it on this Friends Post
15 after the election on Friday, November 9th, correct?

16 A. Quite possibly.

17 MR. REGENSDORF: Could I have a minute? I think I'm
18 done.

19 ALJ: Yes.

20 MR. LITTLE: Could we take five minutes, Your Honor,
21 for a drink of water?

22 ALJ: Sure.

23 (Short recess.)

24 ALJ: Back on the record.

25 BY MR. REGENSDORF:

1 Q. One last point, Mr. Barnas. Your counsel put into
2 evidence as Barnas exhibit 5 an e-mail string which starts
3 with an e-mail I wrote to some people in High Springs and then
4 you wrote to a Mr. Dan Bean. Do you remember that?

5 A. Yes.

6 Q. Dan Bean is the executive partner at my law firm in
7 Jacksonville, correct?

8 A. I know he's there. I don't know --

9 Q. That's why you wrote to him, right?

10 A. I wrote to Dan Bean.

11 Q. Right. And you wrote to him because you had a
12 complaint about the fact that I had used a Holland and Knight
13 e-mail to write a legal description of Judge Griffith's ruling
14 which is referred to in the bottom of that document,
15 correct?

16 A. Let me read the e-mail.

17 Q. Sure. Of course. Barnas exhibit 5 for the record.

18 A. I don't think the core of my complaint was about you
19 using the city e-mail.

20 Q. No. Not the city e-mail. You used the city e-mail.
21 Your complaint here was that you thought that it somehow
22 inappropriate for me as a lawyer to use my law firm's e-mail
23 address to send comments on the judge's ruling in that case,
24 correct?

25 A. I didn't say it was wrong. No. That's not what it

1 says.

2 Q. You said tell him not to do that. That's the whole
3 purpose of this, wasn't it?

4 A. No. I didn't tell him not to do it. The purpose
5 was that while I know his intention is to create doubt, I do
6 not like his personal attacks as you can see from his e-mails.
7 It doesn't say stop using his e-mail.

8 Q. Using the work e-mail makes it look as though he's
9 representing the parties in the lawsuit. Isn't that what you
10 intended by this document?

11 A. I made that comment, but I didn't tell him to tell
12 you to stop it.

13 Q. Interesting that you confused it with using the city
14 e-mail which is, of course, something I don't have access to,
15 it's something that you do for your personal business,
16 correct?

17 A. No.

18 MR. REGENSDORF: I have nothing further at this
19 time, Your Honor. Thank you.

20 ALJ: Okay. Anything further for this witness.

21 MR. LITTLE: Yes, Your Honor.

22 REDIRECT EXAMINATION

23 BY MR. LITTLE:

24 Q. Mr. Barnas, you were an elected public official in
25 the city of High Springs. Are you an elected public

1 official?

2 A. Yes..

3 Q. Do you have some obligation to the city and to the
4 voters to report or make comments about things in regard to
5 the operation of the city that you think are wrong?

6 MR. REGENSDORF: Object to the form. Irrelevant to
7 this proceeding.

8 MR. LITTLE: It follows up on, Your Honor --

9 ALJ: Overruled for now..

10 MR. LITTLE: Yeah.

11 ALJ: But I caution both of you, do not make long of
12 this..

13 BY THE WITNESS:

14 A. I'm a city commissioner.

15 BY MR. LITTLE:

16 Q. My question is, do you feel you have an
17 obligation?

18 A. Yes..

19 Q. And in regard to the thing that you were questioned
20 about, the nepotism charge, did you think you had an
21 obligation to the city to make the objections that you made?

22 A. Yes..

23 Q. And when you found you were wrong, did you, in fact,
24 admit publicly that you were wrong?

25 A. I certainly did..

1 Q. Okay. You were asked earlier about the question of
2 expressed advocacy, whether you had done any research on that
3 question before the February 25 hearing in this case. Do you
4 remember that? You were asked that question?

5 A. I think he asked me after.

6 Q. Do you remember --

7 A. Yes.

8 Q. -- that you were asked that question?

9 A. Yes.

10 Q. Did you do any research on expressed advocacy before
11 the February 25th hearing?

12 A. Yes.

13 Q. What did you find?

14 MR. REGENSDORF: Objection. Repetitive.

15 ALJ: Sustained.

16 MR. LITTLE: Your Honor --

17 ALJ: We have already asked all these questions.

18 MR. LITTLE: No. I have asked him if he did any
19 research before.

20 ALJ: Yes. You have already asked all of that.

21 Move on.

22 MR. LITTLE: I don't think so.

23 ALJ: Move on.

24 MR. LITTLE: Your Honor, this is extremely important
25 because it has to do with the fact that there is a

1 different theory of expressed advocacy than is being
2 forwarded by the petitioner in this particular case and
3 he, in fact, will testify that the Florida Elections
4 Commission is or has considered putting a definition in
5 with a different definition.

6 ALJ: I have in my notes he looked for a definition,
7 but couldn't find one.

8 MR. LITTLE: I asked him in the statute did he look
9 and in the rules did you look.

10 MR. REGENSDORF: And the website.

11 MR. LITTLE: Before the time he filed the complaint.

12 ALJ: All right. I have ruled. Move on.

13 MR. LITTLE: All right. I don't have any further
14 questions of this witness.

15 ALJ: Okay. Anything further?

16 MR. LITTLE: Yes. I call Paul Regensdorf.

17 ALJ: Go ahead, Mr. Little.

18 MR. LITTLE: Okay.

19 PAUL R. REGENSDORF RECALLED

20 DIRECT EXAMINATION

21 BY MR. LITTLE:

22 Q. Mr. Regensdorf, you consider yourself to be a member
23 of the Concerned Citizens, do you not?

24 A. Yes, sir.

25 Q. Okay. And you opposed the ordinance or the proposed

1 amendment to the charter of the city of High Springs to limit
2 borrowing, did you not?

3 A. I thought it was a silly idea, yes, sir.

4 Q. And you spoke against it at city commission
5 meetings?

6 A. I did indeed.

7 Q. And you openly campaigned for votes against it?

8 A. No. But I did speak against it at a city commission
9 meeting. I work out of town. I don't have much time to work
10 in the city campaigning for or against anything. But I did
11 definitely speak at a city commission meeting against the
12 lunacy of trying to limit the borrowing in advance, yes.

13 Q. Do you remember when the Concerned Citizens was
14 formed?

15 A. Essentially.

16 Q. When was it?

17 A. Fall of 2012.

18 Q. And when did you join?

19 A. Fall of 2012.

20 Q. Now, it was created for the purpose of defeating the
21 proposed ballot amendment, was it not?

22 A. Absolutely not. Let me answer that question. It
23 was affirmatively not. The Concerned Citizens Group had a
24 detailed discussion of what our role was going to be and our
25 role was consistently 100 percent of the time a commitment to

1 good government. We carefully drafted our documents. We
2 carefully made our statements to be positive with respect to
3 the things that we saw that needed to be changed. We did not
4 in any way and we affirmatively said we are not going to take
5 a position with respect to any ballot issue whether it be a
6 human being or whether it be a ballot issue which was the
7 charter amendment.

8 Quite the contrary, sir. The organization was
9 formed because there had been a toxicity in our city among the
10 city commission primarily which was not healthy and the city
11 employees, their morale was horrible. We had to bolster them.
12 We had to support them. We did. One of the interesting
13 points is that there was a comment made that the group has not
14 been terribly active since and, of course, the reason for that
15 is that the Citizens Group supported our employees, got them
16 back on the side of thinking positively about their city. We
17 got a commission which when it was elected turned the city in
18 a positive direction and at that point we had succeeded in
19 establishing some good government principles. The budgetary
20 concerns were addressed. Things of that nature. There was a
21 charter amendment commission appointed or was going to be
22 appointed. It never got appointed, but that's another whole
23 issue. So the answer to your question is absolutely not.

24 Q. Concerned Citizens was also created for the purpose
25 of supporting the candidacy of a particular candidate in that

1 election, was it not?

2 A. Of course you know that's not the case. We very
3 carefully never ever said anything about any individual
4 candidate whatsoever, and although I was not aware of it
5 because I did not run the website, to me the most telling
6 tangible contemporary evidence of that is that when one of our
7 members, one of the people who said I support the group in
8 general posted something on the website, there was a specific
9 and immediate document that separated the group from that
10 statement which on Friday evening within 29 minutes is an
11 incredible commitment to just that. It shows the depth and
12 commitment of the people who were really working this group
13 day to day to work on the things that they wanted to work on
14 which was good government and not getting into the issues that
15 you have described.

16 Q. Now, you have testified that you worked with
17 Concerned Citizens to craft the language that the Concerned
18 Citizens used?

19 A. I was involved in some of the review of the drafting
20 of principles, the mission statement, yes, sir.

21 Q. Okay. And on September the 28th Concerned Citizens
22 posted this on its Facebook, did it not?

23 A. I wouldn't know. If you hand it to me, I'll take a
24 look at it.

25 Q. (Proffering.)

1 A. I am hindered by the fact that I'm not a Facebook
2 person, but it appears to have a script at the bottom that
3 says it came from Facebook. It has a mission statement from
4 the Concerned Citizens. Life events. I know that's something
5 that's on Facebook. So I can't confirm this, but I certainly
6 am not going to claim that it's not. So I don't know how else
7 I can do that for you, Mr. Little.

8 Q. Okay. That's fine. Thank you very much.

9 MR. REGENSDORF: But as a lawyer I would like to
10 have that marked for identification since you have
11 referred to it.

12 MR. LITTLE: Well, I would like to admit it as
13 Barnas, what will it be, Your Honor? 9?

14 ALJ: I think so. Yes. Barnas 9.

15 MR. LITTLE: Let me give you a copy of it for your
16 --

17 MR. REGENSDORF: Are you handing this to me as a
18 witness or a lawyer?

19 MR. LITTLE: As a lawyer.

20 MR. REGENSDORF: I'm kidding you. I'm kidding you.

21 MR. LITTLE: I don't mind being kidded.

22 ALJ: I'm sorry. Barnas 11.

23 MR. LITTLE: It's Barnas 11.

24 ALJ: Yes.

25 MR. LITTLE: Okay.

1 BY MR. LITTLE:

2 Q. Now, on October the 10th, 2012 Concerned Citizens
3 produced and published a mission statement with five
4 principal, five key areas of principal concern, did it not?

5 A. Again there was a document to that effect. I
6 couldn't give you the date one way or the other.

7 Q. Okay. (Proffering.) I would like you to look at
8 that document. I think that is in evidence.

9 A. It certainly is a document that the Concerned
10 Citizens Group generated. I couldn't quote the date except
11 that it was before November 6th, 2012, and it was -- That's
12 what I can tell you. But it is in evidence. And it's also
13 page 19 in Mr. Barnas' complaint.

14 Q. Okay. So we'll take that. Now, Concerned Citizens
15 in addition to posting this on Facebook also distributed this
16 at candidate forums, did it not?

17 A. I don't know that at all. I was not at the
18 candidates forum. They have them mid week. I work in
19 Jacksonville.

20 Q. Okay. I would like you to take a look at, on the
21 bottom of page 2 of this document.

22 ALJ: Of Exhibit 11?

23 MR. LITTLE: It's exhibit 11, I think.

24 MR. REGENSDORF: It doesn't have an exhibit
25 number.

1 MR. LITTLE: No. No, Your Honor. It's the one
2 that --

3 MR. REGENSDORF: It's page 19 in Mr. Barnas'
4 complaint. That's all I can tell you.

5 MR. LITTLE: Let me give you a copy of it.

6 ALJ: This one? Yes. That's the one.

7 MR. LITTLE: Okay.

8 MR. REGENSDORF: My only concern is that there is a
9 lot of different printings of this. I would be
10 cautious.

11 MR. LITTLE: This one has got the FEC page numbers
12 on the bottom.

13 MR. REGENSDORF: That's what I'm looking at, too,
14 Your Honor.

15 BY MR. LITTLE:

16 Q. Take a look at therefore we believe.

17 A. Okay.

18 Q. And then the very bottom of it. Did you draft that
19 language?

20 A. I doubt it, but it's -- I simply have no
21 recollection. But, I mean, I was around at that time and I
22 don't remember whether I wrote it or not. I saw it at the
23 time. Would you like me to comment on it?

24 Q. No, I would not. I would like you to look at number
25 5.

1 A. Correct.

2 Q. Proposed changes to the charter.

3 A. Correct.

4 Q. Did you draft that language?

5 A. Well, again draft is too broad a term. I probably
6 was around at meetings when this was drafted. So I don't
7 believe there was a single drafts person for any of these
8 documents, but I was certainly involved.

9 Q. So you are aware that the language is in the
10 document?

11 A. I'm absolutely aware that the language is in the
12 document.

13 Q. And you were aware of it then?

14 A. Yes, sir. And I was aware then, yes sir. Hundred
15 percent aware.

16 Q. All right. Ms. Yeago testified that before she
17 filed her response to this complaint, she went to a meeting of
18 the steering committee of the Concerned Citizens. Did you
19 attend that meeting?

20 A. I don't remember the testimony and I don't remember
21 the meeting with any specificity if it happened so I can't --
22 If you have a specific question about something that happened,
23 I might be able to tell you. But let me back up. If it was a
24 meeting of the steering committee, it was less --

25 MS. YEAGO: It was --

1 MR. REGENSDORF: You can't talk to a witness on the
2 stand. Your Honor, I move we hold her in contempt. I'm
3 serious, you can't. Thank you. You're not supposed to
4 talk, just like lawyers are not supposed to talk to their
5 clients in the middle of their testimony.

6 BY THE WITNESS:

7 A. I don't know. I was not on the steering committee.
8 The steering committee had meetings that I did not attend.
9 It's possible I did attend a particular steering committee
10 meeting, it's possible, but I don't know. If you have a
11 question about what happened or some specific fact at a
12 steering committee meeting, I might be able to --

13 BY MR. LITTLE:

14 Q. What I was going to ask you, who made the decision
15 to file the response to the complaint that Mr. Barnas had
16 made?

17 A. Well, now we are getting into client/attorney
18 privilege.

19 Q. No. Not if you were at the steering committee
20 meeting.

21 A. The steering committee didn't make the decision.
22 I'll tell you that. So the answer is --

23 Q. All right.

24 A. This was already handled before in my testimony.
25 It's attorney/client privilege. I think it was handled in

1 Sharon's testimony. The decision was made between the client
2 and the lawyer.

3 Q. Now, you drafted Yeago's response to Barnas'
4 complaint at the Florida Elections Commission, did you not?

5 A. I certainly was the principal draftsman,
6 absolutely.

7 Q. You signed it?

8 A. Absolutely. I'm not running from it. I'm saying my
9 client as an intelligent person had a chance to review it, but
10 I was the principal draftsman and I absolutely put my name on
11 it, sir, and stand by it.

12 Q. And Yeago's response in the very beginning of the
13 response the statement is made that one of the primary
14 purposes of the response is to lay the ground work for
15 attorney's fees against Mr. Barnas?

16 A. Absolutely, sir.

17 Q. And this was a response --

18 A. Well, no. No. Lay the ground work in the sense
19 that under the Florida Elections Commission procedures one
20 first has to establish and the Florida Elections Commission
21 has to accept that the complaint of the complainant is quote,
22 "legally insufficient." Not that it just doesn't win on some
23 factual basis or some trial basis. It must be found to be
24 legally insufficient. Consequently since I felt that it was
25 absolutely legally insufficient since I thought it was

1 inappropriate to be filed against anyone, certainly against
2 Ms. Yeago, I was also aware at the time and that's perhaps the
3 comment you're referring to, and I wanted the Florida
4 Elections Commission to be aware that if they agreed with me
5 which they, of course, did that I intended to attempt to
6 pursue a remedy for that which I was being forced to do to
7 defend Ms. Yeago against this legally insufficient
8 complaint.

9 Q. And that was totally unnecessary, was it not?

10 A. I don't think it was unnecessary at all.

11 Q. Don't the rules provide for filing a fee motion
12 within 30 days after the conclusion of the case?

13 A. You bet. And any lawyer that does not take an
14 opportunity to groom the field and prepare the ultimate
15 decider of fact and law of where we are going in the case at
16 the beginning, this is why you have opening statements, you do
17 that to give that person an indication of where we are going
18 and I did not want there to be an inch of doubt in the Florida
19 Elections Commission mind that where this was going was first
20 a decision that it was legally insufficient. And secondly, if
21 that was obtained, which it was on September 10th, then - I
22 believe September 10th. June 10th. Then we were going to
23 proceed further and attempt, if allowed by law, to obtain the
24 attorney's fees recovery from Mr. Barnas for the inappropriate
25 action of filing the legally insufficient complaint in

1 violation of 106.265. So was it unnecessary? Was it
2 pointless? Absolutely not.

3 Q. Now, you did not serve a copy of Yeago's response on
4 Mr. Barnas?

5 A. I did not mail one to him. I complied with the
6 guidance given to me by the Florida Elections Commission and
7 their office and rules and that was to serve the executive
8 secretary, whatever the person's title was for ultimate
9 service on the complainant.

10 Q. Are you qualified to practice law in Florida?

11 A. I'm a licensed lawyer in the State of Florida.
12 Whether I'm qualified or not I suppose is an issue for this
13 judge to determine.

14 Q. And you know, of course, that the Florida Elections
15 Commission proceedings are governed by the administrative
16 rules, uniform rules of procedure?

17 A. I know that if the Florida Elections Commission
18 tells me how to appear before them, I will follow their
19 direction unless I know it to be clearly wrong. I do not know
20 it to be clearly wrong, therefore, I complied with their
21 regulations.

22 Q. Mr. Regensdorf, you know very well that you are
23 required by the rules to file, when you serve your documents
24 on the commission, you're required to serve the other party?

25 A. I do not know that, sir.

1 Q. So let me then -- Let me hand you a copy of rule
2 28-106.104.

3 A. And your question?

4 Q. Yes. I do have a question. Do you see the part
5 that I have outlined in yellow there?

6 A. I see the part that you have bracketed in yellow
7 which is 28-106.104(4).

8 Q. Will you read that, please.

9 A. Sure. Whenever a party files a pleading or other
10 document with the agency, that party shall serve copies of the
11 pleading or other documents upon all other parties to the
12 proceeding. A certificate of service shall accompany each
13 pleading or other document filed with the agency.

14 Q. And you didn't do that?

15 A. I did not do that, that is absolutely correct.

16 Q. Okay. And you're saying then as a lawyer you were
17 unaware that you were to follow the rules governed - the
18 proceedings before the commission?

19 MR. LITTLE: May I put this in evidence, Your Honor?

20 ALJ: I will take judicial notice of the rules.

21 MR. REGENSDORF: Either way.

22 MR. LITTLE: Okay. All right. Thank you.

23 BY THE WITNESS:

24 A. The answer to your question is I'm unaware that that
25 supersedes the FEC rules, yes, sir. I'm unaware of that.

1 BY MR. LITTLE:

2 Q. Have you got any FEC rules that's contrary to
3 that?

4 A. I got instructions from them that they sent to me in
5 writing so I follow what they tell me to do, sir, yes.

6 Q. Have you really got something in writing?

7 A. Absolutely I do.

8 Q. Let me say to you as you say to Mr. Barnas. You're
9 under oath.

10 A. I'm absolutely under oath.

11 Q. And you have got something in writing telling you
12 not to follow the rules of procedure that govern
13 proceedings?

14 A. First of all, were I a lawyer in this case I would
15 say I'm not sure what this has to do with Mr. Barnas in this
16 proceeding.

17 ALJ: I'm not either.

18 BY THE WITNESS:

19 A. He had an -- But I'm hesitant because you seem so
20 excited about this, but the point is, yes, sir. The one that
21 jumps to mind specifically as I can visualize it, it expressly
22 directed me to serve the office of the Florida Elections
23 Commission and the copy would then be served by that office to
24 Mr. Barnas, and I believe it is in evidence, but I believe the
25 one that I'm thinking of came in specific response to the

1 attorney's fees issue, but I would have to double check. I
2 don't have it at hand. But your answer, Mr. Little, to your
3 question is do I have that document? Yes, sir, I do. And if
4 you looked in the records of the Florida Elections Commission,
5 you would have that document also, but apparently you have not
6 looked.

7 BY MR. LITTLE:

8 Q. And I don't believe, I'm just being candid with you
9 here --

10 A. Mr. Little, we are sparring. I will send you a copy
11 of that document when I locate it, okay?

12 Q. Okay.

13 A. And that's only one document that I know of.

14 Q. But we don't want to -- I don't want to fight
15 with you over that.

16 A. I think it's completely irrelevant to this
17 proceeding.

18 Q. No, it isn't.

19 ALJ: Stop now. Quit arguing with each other. I am
20 not convinced of the relevancy of this line of
21 questioning at all.

22 MR. LITTLE: Your Honor, the line of questioning
23 here has to do with the question of expressed advocacy.
24 A lot has been made of the fact that Mr. Barnas who is
25 not a lawyer, doesn't purport to be a lawyer, did not

1 understand the technical details of expressed advocacy in
2 the sense that the complainant here wishes it to be
3 understood. What I'm trying to show is that a lawyer in
4 the very case didn't know to follow the rules of
5 procedure that apply to the case. As a result,
6 Mr. Barnas was deprived of an opportunity to make a
7 response to the statements.

8 ALJ: Let me make this clear.

9 MR. LITTLE: Yes, ma'am.

10 ALJ: I will specifically rule on this issue. It's
11 not relevant. Move onto something else.

12 MR. LITTLE: All right.

13 BY MR. LITTLE:

14 Q. I would like to ask Mr. Regensdorf if he knows the
15 legal definition of expressed advocacy?

16 A. I can't quote it. I would have to research it and
17 get you the case law, but the words expressed advocacy were
18 written into the law because there was concern as to whether
19 organizations, these amorphous political committees and other
20 organizations in the past could be theoretically challenged or
21 accused of violations of the law for generically being in
22 favor of good government or things of that nature, and as a
23 result to get past that Constitutional and other challenge
24 there is case law and I have not got it at my fingertips to
25 give to you at this point, but there is case law and it will

1 certainly be cited to the court which has, I forget whether it
2 came before or after the legislation, in other words, whether
3 the legislation was written to comply with the case law or
4 whether the case law interpreted the legislation that
5 incorporated the phrase expressly advocates because
6 at that point and from then on and this is well before
7 Mr. Barnas' complaint the law was quite clear that it was
8 required to have a statement in favor of or against an issue
9 or a person on the ballot. Now that's about as specific as I
10 can get you.

11 Q. I would like you to go back to the Concerned
12 Citizens For A Better High Springs mission statement that I
13 handed you a while ago, and I would like you to read -- Well,
14 I'll read it to you. Going to page 5. Number 5 of page 20.

15 A. That's not the mission statement. That's the areas
16 of principal concern.

17 Q. Well, if you go back to the page before and look at
18 the top of the page at left hand margin, doesn't it say
19 mission statement?

20 A. Sure. And it also says Concerned Citizens, but the
21 mission statement is a two line statement. Anyone who's ever
22 been in an organization knows that mission statements are the
23 generic statement that establishes the purpose for the
24 organization and then the organization goes further and breaks
25 that mission statement down into action points, areas of

1 concern, guiding principles and things of that future.

2 So all I'm saying is what you're about to read me on
3 page 2 is not the mission statement. The mission statement is
4 a two line statement. It's found on a number of documents,
5 sometimes with other documents and other statements, sometimes
6 not. But without quibbling with you I'm happy to turn to page
7 2.

8 Q. I'll read it to you. Proposed changes to the city
9 charter will drastically change and significantly limit how
10 future commissions are able to run government. It says that,
11 doesn't it?

12 A. Absolutely.

13 Q. There is nothing positive about the ballot amendment
14 in that statement, is there?

15 A. There's nothing what?

16 Q. Positive.

17 A. Sure there is. If you are a person who wants to
18 limit how governments work, this is the Tea Party. This is
19 exactly the discussion that our nation and our government,
20 state and local governments are having every single day. How
21 big do we want our government to be? Do we want to limit that
22 government or not? It is a distinctly appropriate political
23 discussion to have and there is nothing wrong with the people
24 of High Springs having that discussion. It's that the
25 Citizens committee simply did not weigh in on that ultimate

1 yes or no, thumbs up or thumbs down. And I believe
2 Mr. Barnas, the first time he was asked this specific question
3 and Your Honor may remember the yes, no, flip around
4 testimony, agreed because that is exactly what that statement
5 is intended. It's a terribly positive statement. If you are
6 of the mind that government is too big or too powerful or some
7 how can borrow money inappropriately, it is a tremendously
8 powerful statement. I disagree with that statement
9 personally, but that's not my position here.

10 Q. And somebody might disagree with your reading of
11 that statement, too, might they not?

12 A. Well, Mr. Barnas didn't. I didn't. I don't believe
13 anybody could disagree with that who is an intelligent and
14 thoughtful person, no, sir.

15 Q. Look at A. The amendment would prohibit the city
16 commission from incurring any debt beyond one million dollars
17 unless approved by a two-thirds vote or four out of five of
18 the commission plus passage of a referendum by the voters
19 approving the debt before the loan could be made ensuring that
20 an immediate response to a major crises virtually impossible
21 from a financial perspective.

22 A. Correct.

23 Q. There is nothing positive in favor in that, is
24 there?

25 A. I'm not going to repeat my diatribe.

1 Q. You don't have to.

2 A. Thank you. It's a totally positive statement if you
3 are of that mind. It is a totally positive statement and for
4 you to say that it's not suggests that you're leaning a little
5 bit too much one way, Mr. Little.

6 Q. The thing that I think I want to point out to you
7 and you won't agree with I don't believe is that different
8 people could read this language differently from the way
9 you're reading it. Let's take a look at B.

10 ALJ: This is not a discussion. This is questions
11 and answers.

12 MR. LITTLE: Yes, ma'am. Yes, ma'am.

13 ALJ: Think Socrates.

14 MR. LITTLE: Thank you, Your Honor.

15 ALJ: Okay.

16 BY MR. LITTLE:

17 Q. Look at B. If the amendment is approved, it has the
18 potential to make debt consolidation and other financial
19 planning less available for the city since governmental
20 agencies and financial institutions would have no organization
21 with which they could deal to finish a transaction. Some say
22 the cost of funds for the city could rise dramatically. Long
23 range planning concerns were not considered by the commission
24 in any detail and should be carefully explored by the citizens
25 before election day when considering this amendment.

1 A. Correct.

2 Q. There is nothing favorable?

3 A. Absolutely. I mean, it tells them to do that. See,
4 what you don't know is that this happened -- Let me back up.
5 This proposal to limit borrowing power, the reason it was
6 ultimately declared to be invalid and void Ab initio is that
7 it was enacted in an incredible rush and in violation of state
8 law because it was done overnight practically. I mean, the
9 time between the initial consideration and approval. There
10 was no consideration given to these factors. That is a fact.
11 That's not debatable. You can, as I did, sit through the
12 meetings. It's an undebatable fact.

13 MR. LITTLE: Your Honor, I don't need to hear
14 anymore of his answer but...

15 ALJ: Well, you asked the question.

16 MR. LITTLE: I did.

17 BY THE WITNESS:

18 A. Well, let me finish. I'll make it brief. That
19 said, what this statement communicates and the fact that some
20 people may misread one plus one equals two does not make it
21 any less true. What this statement says is that people, think
22 about this before you vote. It doesn't say think about this
23 and vote no. It doesn't say don't think about it and vote no.
24 It doesn't say think about it and vote yes. It says think
25 about the long term considerations. It is the ultimate

1 statement of good government. It says to the citizens of High
2 Springs, please, consider that which because of the way it was
3 passed wasn't considered. If you like it, fine. But
4 consider. Don't just vote for it. So, I mean, we can
5 squabble about it all day long, but this was a statement that
6 was not misunderstandable by people of reasonable means.

7 BY MR. LITTLE:

8 Q. Mr. Barnas could easily have misunderstood that to
9 be advocacy against the proposal, could he not?

10 A. Mr. Barnas acting as a reasonable man could not
11 have. I will not comment on what is inside Mr. Barnas' head,
12 but if he were reading this as a reasonable person as he did,
13 in fact, when we read it to him in his direct testimony and he
14 agreed, yes, that's exactly right. It's absolutely correct.
15 So I don't know what Mr. Barnas could or couldn't understand
16 from this.

17 Q. You don't know?

18 A. No. He said yes and no, so I guess he's got his
19 foot squarely in both camps.

20 Q. Are you aware of the Federal Elections Commission
21 Rule on expressed advocacy?

22 A. I certainly can't cite it. I know that in doing
23 some research on this all lo these many months ago I read some
24 federal law, I read some state law, but to say I can quote it,
25 no.

1 Q. Well, let me ask you if you read this.

2 A. Could I take a look at it? It would be easier for
3 me to read it.

4 Q. Sure (proffering.)

5 A. You want me to read it out loud? I would be happy
6 to.

7 Q. Sure.

8 A. It says, expressly advocating means any
9 communication that uses phrases such as, "Vote for the
10 president." "Re-elect your congressman." "Support the
11 Democratic nominee." "Cast your ballot for the Republican
12 challenger for U.S. Senate in Georgia." "Smith for Congress."
13 "Bill McKay in '94." "Vote pro life." Or "Vote pro choice."
14 Accompanied by a listing of clearly identified candidates
15 described as pro life or pro choice, "Vote against Old
16 Hickory." "Defeat" accompanied by a picture of one or more
17 candidates. "Reject the incumbents." Or communications of
18 campaign slogans or individual words which in context can have
19 no other reasonable meaning than to urge the election or
20 defeat of one or more clearly identified candidates such as
21 posters, bumper stickers, advertisements, et cetera which say
22 "Nixon's the one." "Carter '76." "Reagan/Bush." Or
23 "Mondale."

24 Do you want me to keep going?

25 Q. Yeah. I want you to read B.

1 A. I'm sorry. What?

2 Q. The second part.

3 A. Or, B, when taken as a whole and with limited
4 reference to external events such as the proximity to the
5 election could only be interpreted by a reasonable person as
6 containing advocacy of the election or defeat of one or more
7 clearly identified candidates because, (1), the electoral
8 portion of the communication is unmistakable, unambiguous and
9 suggestive of only one meaning and, (2), reasonable minds
10 could not differ as to whether it encourages actions to elect
11 or defeat one or more clearly identified candidates or
12 encourages some other kind of action. End of block quote.

13 Q. And, in fact, a reasonable person could apply that
14 standard and decide that that number 5 in the key principal -
15 key areas of principal concern was a negative expression?

16 A. Well, three responses. Number 1, I'm not prepared
17 to state today that the state standard is the same as the
18 federal standard, number 1. Number 2, I do not think that
19 this standard, if it were to be binding in Florida which, of
20 course, it's not, although it may be mirrored in Florida, if
21 this were binding, I absolutely disagree with you. And number
22 3, and number 3, we have got -- We will be briefing this -- we
23 have got a waiver issue here also. This was the issue that
24 could have been disputed by Mr. Barnas if he chose to file a
25 rehearing. He had 14 days to do so. He chose not to. So for

1 three reasons I cannot agree with you.

2 Q. Well, on the rehearing point, he didn't ask for a
3 rehearing because he didn't know that you had filed what you
4 had filed?

5 A. You're testifying. I don't know that.

6 Q. You don't know that. Okay.

7 A. You're testifying. I don't know what he did.

8 Q. He couldn't. He has testified that he didn't
9 receive it.

10 ALJ: Do you have a question?

11 MR. LITTLE: I'm not going to argue, Your Honor.

12 ALJ: That's a very good idea.

13 MR. LITTLE: Thank you.

14 BY MR. LITTLE:

15 Q. You will agree that other reasonable persons could,
16 in fact, have a different opinion about the application of a
17 provision like that to number 5, do you not?

18 A. I'm sorry. Reasonable people can disagree as to
19 federal law applicability? Yeah. Reasonable people can
20 disagree unless they research it.

21 Q. Okay.

22 A. I don't know. What are you asking me to read?

23 Q. I'm asking you to take that standard and apply it to
24 number 5 --

25 ALJ: He answered your question. Move on.

1 BY THE WITNESS:

2 A. I said I disagreed with --

3 ALJ: Stop.

4 MR. LITTLE: Thank you.

5 MR. REGENSDORF: Could you mark that as evidence
6 also?

7 MR. LITTLE: Sure. We'll mark that in evidence.

8 MR. REGENSDORF: You don't have a copy of that for
9 me, do you, by any chance?

10 MR. LITTLE: I'll get you a copy. I think I do, but
11 I don't.

12 MR. REGENSDORF: Thank you, sir.

13 MR. LITTLE: This will go in, Your Honor.

14 ALJ: Barnes 12.

15 MR. LITTLE: Your Honor, I have no further questions
16 of this witness.

17 ALJ: Okay. Anything further?

18 MR. LITTLE: Not for the Defendant here, Your
19 Honor.

20 ALJ: All right. So you rest. Okay.

21 MR. LITTLE: Plaintiff rests.

22 ALJ: Let's take a ten minute break.

23 MR. REGENSDORF: My last witness is going to be two
24 minutes, I hope.

25 ALJ: Then let's not. Let's go ahead, if you think

1 she is going to be short.

2 MR. REGENSDORF: I have been wrong about every other
3 prediction, but so has everybody else.

4 ALJ: Both are you are a little verbose so...

5 MR. REGENSDORF: My direct will be three minutes.

6 Thereupon,

7 LINDA HEWLITT

8 after having been first duly sworn, testified as follows,

9 DIRECT EXAMINATION

10 BY MR. REGENSDORF:

11 Q. State your name, please, ma'am.

12 A. Linda Hewlitt.

13 Q. Ms. Hewlitt, thank you for coming down here this
14 morning or afternoon. Are you a resident of High Springs?

15 A. Yes, I am.

16 Q. Were you a resident in the fall of 2012?

17 A. Yes.

18 Q. The November 2012 election is the election that had
19 the borrowing limitation ordinance on the ballot; is that
20 correct?

21 A. Yes.

22 Q. Did you and your husband take any steps by way of
23 making materials to try to convince the voters of the city of
24 High Springs how to vote on the borrowing limitation ordinance
25 vote?

1 A. Yes.

2 Q. What did you and your husband do?

3 A. We made that sign and another identical one.

4 Q. When you say that sign, I'm going to ask you first
5 of all, is that the four foot by four foot white sign that
6 says vote no on it with the big circle at the top?

7 A. Yes.

8 Q. And then High Springs charter amendment. Is that
9 the sign you're referring to?

10 A. Yes, sir.

11 Q. Was there any other writing on that sign that you
12 and your husband made?

13 A. No. That's the sign that came from my house.
14 That's exactly the sign.

15 Q. In fact, let me hand you what's been marked for
16 identification as Yeago exhibit 10, and ask you if those five
17 photographs are photographs of the front and back of this four
18 foot by four foot sign?

19 A. Yes, sir.

20 Q. Was one of these placed at each voting booth?

21 A. Yes. Each voting station.

22 Q. I'm sorry. Voting precinct?

23 A. Yes.

24 Q. There you go. Or voting station. Were you there
25 during the voting at one of those voting stations?

1 A. Yes.

2 Q. Which one were you at?

3 A. Civic center.

4 Q. Is that the station where Mr. Barnas also had the
5 signs that are in evidence about voting in favor of the
6 ordinance?

7 A. I haven't seen what's in evidence, but he had a sign
8 that was handwritten that he put up.

9 Q. Okay. Were you there all day long?

10 A. Yes. Even to the end when they counted the votes.

11 Q. During the time that you were there from the
12 beginning to the end were there any other four foot by four
13 foot signs posted at that site?

14 A. No, sir.

15 Q. Were there any four foot signs at the other location
16 where you and your husband posted the other one?

17 A. Only the ones we posted.

18 Q. So there weren't two signs --

19 A. No.

20 Q. -- two four foot by four foot signs. Was there any
21 other four foot by four foot sign that said vote no on it?

22 A. No. We had the only sign.

23 Q. Who paid for the creation of this sign?

24 A. My husband and I.

25 Q. Did anyone contribute to that to help you pay for

1 it?

2 A. No, sir.

3 Q. Did you ask anyone else to contribute to pay for
4 it?

5 A. No. We didn't tell anybody else we were doing it
6 except the person that made it for us.

7 Q. Okay. A print shop or whatever?

8 A. Yes. Yes.

9 Q. Okay. And you paid them a hundred bucks or
10 ninety-eight bucks or whatever it was?

11 A. Yes.

12 Q. And you paid that out of your own money?

13 A. Yes. We wrote a check.

14 Q. You were a member of the Concerned Citizens For A
15 Better High Springs in the fall of 2012, were you not?

16 A. Yes.

17 Q. Did you ask -- First of all, did you tell them that
18 you were going to make this sign?

19 A. No. We didn't tell them at all.

20 Q. Did you ask them for help in making this sign?

21 A. No. We did not.

22 Q. Did they have anything to do with making this
23 sign?

24 A. They didn't know anything about it.

25 MR. REGENSDORF: I have nothing further. Thank you.

1 Oh, I would like to mark this four foot by four foot sign
2 in evidence. I understand what you're going to say
3 because of that judicial look on your face.

4 ALJ: I'm just wondering if it will fit in my car.

5 MR. REGENSDORF: I would also move in evidence the
6 five photographs which have been identified as being
7 reflective of the front and back of that sign which for
8 the sake of size I will agree to hold, if we mark it and
9 if you agree it's going to be in evidence that it be
10 marked and I will agree to hold it pending any further
11 proceedings in this matter.

12 ALJ: Go ahead.

13 CROSS EXAMINATION

14 BY MR. LITTLE:

15 Q. Ms. Hewlitt --

16 MR. REGENSDORF: Hold it. I move this in evidence.
17 Do you object?

18 MR. LITTLE: No objection.

19 MR. REGENSDORF: Okay.

20 ALJ: I'll determine how to handle all of this at
21 the end. Go ahead.

22 MR. LITTLE: Are you finished, Mr. Regensdorf?

23 MR. REGENSDORF: Yes. I am.

24 BY MR. LITTLE:

25 Q. Ms. Hewlitt, I'm Joe Little and I represent

1 Mr. Barnas in this proceeding. You said that there was
2 another sign at the other voting precinct?

3 A. I did and they were identical.

4 Q. Did you see the other sign there?

5 A. Yes. Yes.

6 Q. Can you testify positively that there were no other
7 signs at any time during the day?

8 A. I can say that with certainty for the civic center
9 because I was there the whole time, but I was not all day at
10 the other site.

11 Q. Okay. So you can testify you didn't see one; is
12 that correct?

13 A. I didn't see one at my site.

14 Q. You did not see?

15 A. No. That was the only one.

16 MR. LITTLE: Thank you. I have no further
17 questions, Your Honor.

18 ALJ: Okay.

19 REDIRECT EXAMINATION

20 BY MR. REGENSDORF:

21 Q. Ms. Hewlitt, the site that you were at is the site
22 that Mr. Barnas was at all day long; is that correct?

23 A. I saw him pretty much of the whole day. I can't say
24 he never went anywhere at all.

25 MR. REGENSDORF: Fair enough.

1 MR. LITTLE: May I inquire, Your Honor?

2 ALJ: Yes.

3 RE CROSS EXAMINATION

4 Q. Where is the second sign?

5 A. We just cut it up and used it for like when we were
6 spraying like how that got.

7 Q. You don't have it?

8 A. No. I don't have it. I never thought this would
9 come to this.

10 MR. LITTLE: Nothing further.

11 ALJ: Thank you, ma'am. That's it?

12 MR. REGENSDORF: Nothing further, Your Honor.

13 We need to get that marked and handled however Your
14 Honor would like to handle it. With that, Your Honor, I
15 have nothing further.

16 ALJ: You rest?

17 MR. REGENSDORF: The only thing that I will do and I
18 will do it very briefly so as not to cause further
19 distress by anybody, is I would proffer the evidence
20 which has been marked for identification concerning the
21 multiple complaints by Mr. Barnas.

22 ALJ: Same ruling.

23 MR. REGENSDORF: I understand. I'm just proffering
24 it because if allowed to demonstrate and put them in
25 evidence and ask him about them, it would show that he

1 did that by himself; that in each and every case
2 they were found to be legally insufficient by each of the
3 respective governmental or regulatory authorities. I
4 believe all of those documents are in evidence. Each of
5 them was a city employee or resident in the city of High
6 Springs.

7 ALJ: Okay.

8 MR. REGENSDORF: Thank you. With that I have
9 nothing further.

10 ALJ: All right. Anything further?

11 MR. LITTLE: Your Honor, may I just be clear. You
12 denied that, I think, did you not?

13 ALJ: Right. They're not coming into evidence.

14 MR. LITTLE: Thank you. Nothing further from
15 Mr. Barnas.

16 ALJ: All right. About how long on the
17 transcript.

18 COURT REPORTER: If I could have like two to three
19 weeks.

20 MR. REGENSDORF: My understanding, Judge, from
21 previous conversation, you start the clock from when the
22 transcript it received?

23 ALJ: Is filed. Yes.

24 MR. REGENSDORF: He, I think all of you have -
25 because of the court reporter you have and we have the

1 original transcript. If he can get the - that would
2 actually be good because I have a major project that's
3 due May 21st.

4 ALJ: Because today is the 24th. That would put you
5 about mid May.

6 MR. REGENSDORF: I was trying to get into June
7 candidly, Your Honor.

8 ALJ: Well, how long do you think you will need for
9 proposed orders?

10 MR. REGENSDORF: We are not going to get the
11 transcript until mid May. That's the date. June 15th.
12 I'm throwing that out.

13 ALJ: Is that okay with you, Mr. Little?

14 MR. LITTLE: For the proposed order?

15 ALJ: Yes.

16 MR. LITTLE: Yes, ma'am. That is fine. I'm going
17 to be tied up through May 19th, so if I get the
18 transcript by then, I can get it --

19 ALJ: What are you going to be doing?

20 MR. LITTLE: I'm going to be traveling with my
21 wife.

22 ALJ: Okay.

23 MR. REGENSDORF: Personal questions.

24 ALJ: I get used to asking questions.

25 MR. REGENSDORF: You can ask questions you don't

1 know the answer to.

2 ALJ: Okay. June 15th is fine for proposed orders.
3 Does that work for you?

4 MR. REGENSDORF: Yes, ma'am, as long as we get the
5 transcript by --

6 ALJ: If not, the date will be adjusted. I'll just
7 say 30 days from the date the transcript is filed.

8 MR. LITTLE: Is the agency providing us these
9 transcripts or do we have to buy them?

10 ALJ: Actually, no. Generally if you want a copy of
11 the transcript, you have to pay for that yourself. The
12 only official version is the version that comes to me and
13 I'm assuming you're paying for mine.

14 MR. REGENSDORF: I paid for mine. I'm happy to pay
15 for mine.

16 ALJ: The agency doesn't furnish it. I'm not sure
17 that when we get a transcript that we are putting them on
18 the website. I don't think we are there yet, but I don't
19 know.

20 MR. LITTLE: So if I came to Tallahassee.

21 ALJ: You could certainly come read it.

22 MR. LITTLE: Okay.

23 ALJ: We'll sit you in a place and let you read
24 through it. Yes, you can do that.

25 MR. LITTLE: Thank you.

1 ALJ: All right. What else?

2 MR. REGENSDORF: The only other thing is when we
3 discussed this post hearing procedure on February 25th, I
4 raised a question as to the closing argument if you will
5 versus --

6 ALJ: You do that in your proposed order.

7 MR. REGENSDORF: You indicated that you could even
8 do it in two separate documents.

9 ALJ: Yes, if you want.

10 MR. REGENSDORF: Thank you, Judge. An argument
11 portion and a proposed order portion. Thank you, Judge.

12 ALJ: I have had folks do that. As to your big old
13 sign, are you all satisfied with the pictures or do you
14 want that sign into evidence?

15 MR. LITTLE: Your Honor, we have agreed it can come
16 into evidence and whether you physically have it I don't
17 think makes any difference.

18 ALJ: Okay.

19 MR. LITTLE: If it makes no difference to you.

20 ALJ: It does not because it looks like the pictures
21 quite frankly.

22 MR. REGENSDORF: If you want it, you can have it.
23 If you don't and it's marked, I would like it marked, I
24 will agree to retain it.

25 ALJ: I'll mark it as Yeago exhibit 10 because I'll

1 keep it with the same number as the pictures.

2 MR. REGENSDORF: Perfect.

3 ALJ: And those pictures will be admitted into
4 evidence.

5 MR. REGENSDORF: Perfect. We'll mark that. And I
6 on the record will agree that anyone who wants to come
7 and look at it and not only the front side, but if you
8 want to come look at the back side where it's already
9 been used for spray paint, you can have that, too. So I
10 will have it.

11 ALJ: Okay. Is that it?

12 MR. REGENSDORF: It is.

13 ALJ: Thank you. Bring it up here so I can write on
14 it. Off the record.

15 (Whereupon, at 1:05 p.m. the Hearing was concluded.)

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CERTIFICATE

(STATE OF FLORIDA)

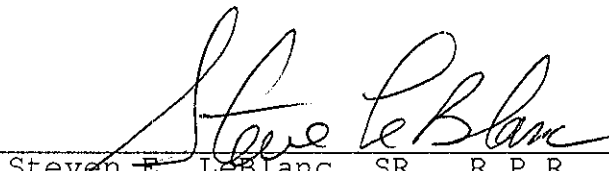
SS:

(COUNTY OF ALACHUA)

I, STEVEN E. LeBLANC, SR., R.P.R., and Notary Public in and for the State of Florida at Large, do hereby certify that pursuant to Notice of Hearing, I sat at the place and at the time as hereinabove shown; that I was attended by counsel as hereinabove shown, and the parties, and witnesses who were first duly sworn and then testified as is hereinabove shown, and that the testimony of the said witnesses and proceedings was reduced to typewriting under my personal supervision and that a review of the transcript was not requested.

I further certify that I am neither of counsel nor attorney to either of the parties in said cause, nor interested in the event of said cause.

Witness my hand and official seal in the City of Gainesville, Alachua County, Florida this 24th day of May, 2014.


Steven E. LeBlanc, SR., R.P.R.
Notary Public in and for the
State of Florida at Large.



SOC

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS
CASE NO. 13-4759F

DIVISION OF
ADMINISTRATIVE
HEARINGS

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ROBERT J. BARNAS,
Petitioner,
vs.
SHARON L. YEAGO,
Respondent.

(STATE OF FLORIDA)
SS:
(COUNTY OF ALACHUA)

Transcript of Hearing, before Administrative Law
Judge DIANE CLEAVINGER, pursuant to Notice of Hearing, at 1900
Southwest 34th Street, Suite 202, Gainesville, Florida, on
Tuesday, February 25, 2014, at 9:30 a.m., before STEVEN E.
LeBLANC, SR., RPR, Notary Public in and for the State of
Florida at Large.

APPEARANCES:

JOSEPH LITTLE, ESQUIRE, 309 Village Drive,
University of Florida, Levin College of Law, Gainesville,
Florida 32611, appeared on behalf of the Petitioner.

PAUL R. REGENSDORF, ESQUIRE, of the law firm of
Holland and Knight, 50 North Laura Street, Suite 3900,
Jacksonville, Florida 32203, appeared on behalf of the
Respondent.

ORIGINAL

1 ALSO PRESENT:

2 ROBERT J. BARNAS

3 SHARON L. YEAGO

4

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1 Thereupon, following proceedings were had,

2 ALJ: Okay. We are here on case number 13-4759.

3 Barnas. Am I pronouncing that correctly?

4 MR. BARNAS: Correct.

5 ALJ: Versus Yeago.

6 MS. YEAGO: Mm-hmm.

7 ALJ: Okay. Do we have anything preliminary to take
8 up?

9 MR. REGENSDORF: Well, we've got some exhibits we
10 can put in. I don't think there's gonna be -- There may
11 be some squabbles about some, but we can do that or we
12 can do openings. Uhm, there's not gonna be a lot of live
13 testimony, but there will be some so...

14 ALJ: But I don't have any pending motions?

15 MR. LITTLE: Your Honor, do you like to be called
16 Your Honor?

17 ALJ: It does not matter to me.

18 MR. LITTLE: I'll call you Your Honor.

19 MR. REGENSDORF: I'll stick with that, too.

20 MR. LITTLE: Mr. Barnas has made a motion to
21 dismiss. You have denied. I would like to renew that
22 motion for the record.

23 ALJ: Okay. For the record it's still denied.

24 MR. LITTLE: Thank you.

25 MR. REGENSDORF: And I was about to file a response

1 which if you ever want one, I'll provide one, but it's
2 denied twice. That's good enough for me. What else? We
3 were talking about something else ahead of time.

4 MR. LITTLE: Well, Your Honor, we'll have some
5 disputed exhibits. We may or not have a dispute --

6 ALJ: How many witnesses are you going to have?
7 Let's start with that.

8 MR. LITTLE: Well, I have listed Mr. Barnas. I have
9 listed Carol Daugherty. I have listed Ms. Yeago and Mr.
10 Regensdorf as witnesses.

11 MR. REGENSDORF: I will be calling live Mr. Barnas,
12 Ms. Yeago, myself. I do have an attorney fee witness.
13 Mr. Little has objected because it didn't get included on
14 the list on the day that we met. True statement.

15 MR. LITTLE: True statement.

16 MR. REGENSDORF: Although it was there and I didn't
17 give it to him. My fault, but it was included before we
18 submitted in the pretrial stip. He is on his way. Mark
19 Herron. I don't know if you know Mark. He's coming down
20 from Tallahassee. And in terms of live -- Well, my
21 testimony.

22 ALJ: So about four or five altogether?

23 MR. REGENSDORF: About four or five. I don't
24 imagine Carol Daugherty will be long, if she comes.

25 MR. LITTLE: Be very shot.

1 MR. REGENSDORF: Right. Mr. Barnas will be a while.
2 Ms. Yeago really it's not - the focus is not really on
3 her so much. That shouldn't take too long. I will be
4 eloquent. Mr. Little has agreed --

5 ALJ: Briefly eloquent.

6 MR. REGENSDORF: Mr. Little has agreed graciously
7 that I did not need to bring a human being to come and
8 ask me some colloquy questions and answers on fees.

9 ALJ: Okay. Well, in that case let's do openings.

10 MR. REGENSDORF: Fine with me. I'm the -- I am the
11 respondent/petitioner and that's a little bit of an
12 unusual --

13 ALJ: It is.

14 MR. REGENSDORF: The style has been awkward.
15 Mr. Barnas has a comment.

16 MR. BARNAS: I felt that, what do you call it,
17 caption?

18 MR. REGENSDORF: Style. Caption.

19 MR. BARNAS: Caption was incorrect, but we never
20 corrected it so...

21 ALJ: Believe me, we get these - you are the
22 petitioner insofar as the attorney's fees.

23 MR. REGENSDORF: No. Backward. Mr. Barnas --

24 ALJ: I'm sorry. You are the respondent. I'm
25 looking at my style. You are the respondent insofar as

1 attorney's fees are concerned. You may have been -- It's
2 just that it carries over from the FEC in that fashion,
3 but in this issue is you are the respondent. You
4 basically are defending. They have the burden of proof
5 to show that they are entitled to the attorney's fees.

6 MR. REGENSDORF: Exactly correct. So if I call the
7 petitioner the respondent or the respondent the
8 petitioner, please, accept my apologies in advance
9 because I'm suffering from the same issue that you're
10 talking about. I filed a hearing memorandum last night.
11 I'm sure you did not get it.

12 ALJ: Oh, no, I didn't.

13 MR. REGENSDORF: I don't want to say it's cursory
14 because I tried to touch upon a variety of things, but at
15 the end of this if you wish anything briefed more
16 appropriately and Mr. Little --

17 MR. LITTLE: I have one for you also.

18 MR. REGENSDORF: -- got one and he sent me --

19 ALJ: If you just want to give it to me. Are you
20 going to use it in your opening?

21 MR. LITTLE: I will use it in my opening, then I'll
22 give it to you.

23 ALJ: All right. That's fine. Let me emphasize to
24 both of you openings are just a brief and I emphasize the
25 word brief summary of what you think I'm going to hear in

1 this case.

2 MR. REGENSDORF: I'll try to be brief. I'm not as
3 brief as I should be, but I hear you, Judge.

4 ALJ: They're not evidence.

5 MR. REGENSDORF: No. No. I understand, but it's
6 not the first time I have been in court where a judge has
7 said that so I hear what you're saying. Do you want me
8 to go ahead and proceed, Your Honor?

9 ALJ: Yes.

10 MR. REGENSDORF: Okay. As you know, this is a
11 petition for fees under two portions of the law. One is
12 the Florida Statute. It's 106.265. And by the way as an
13 aside, I have copies of these statutes, hard copies if
14 you would like them, if you want to have them to refer to
15 at any time.

16 ALJ: I have already read them.

17 MR. REGENSDORF: Okay. I'm not offering these in
18 evidence. I'm just saying if they are of any help to
19 you, I have got copies of them, I think, for all of them.
20 That's the Florida Statute. The rule that we are
21 proceeding under is comparable to FEC Rules for
22 attorney's fees and that's the rule and that's 2b-1.0045.

23 The fees petition arises in the context of
24 controversy in the city of High Springs. I won't go into
25 all of the details. You will see a lot of documents

1 about it, but in the summer of 2002 there was a certain
2 amount of turmoil and controversy, some arguments about
3 whether there was a lack of civility, employee morale
4 problems, financial issues. The city was not doing well.
5 Lots of cities weren't at that time.

6 A group of citizens formed called the Concerned
7 Citizens For A Better High Springs. I say formed, it was
8 never formed in any legal capacity. It was more of an
9 unincorporated association. The circumstances of this
10 petition deal with that organization, why it was formed
11 and what it did when it was formed. You will see from
12 the various documents submitted that in late September of
13 2012 the group issued a mission statement which is a
14 broad good government, if you will, mission statement
15 focusing on professional management of the city,
16 restoring civility, financial security, things of that
17 sort, making no reference whatsoever to the upcoming
18 election.

19 There were four guiding principles that were created
20 by this group and published and circulated and those
21 pick up those same points. The issues of professional
22 management. We had a city manager who was a seamstress
23 at the time. We needed to restore the city to some
24 certain governmental wisdom and those were the four
25 guiding principles. They said nothing whatsoever about

1 anything to do with the November 2012 election that was
2 coming up or with any of the issues on the 2012 election.

3 Then in addition to those four guiding principles, a
4 document was published that listed point by point issues
5 underneath the guiding principles in the four categories
6 spelling out specific things that were of concern. None
7 of those dealt with or addressed in any way the upcoming
8 election in November of 2012 or any of the candidates
9 that were running for city commission at that time.

10 And then finally the group put out a document that
11 we'll talk about at some length which was called the five
12 areas of concern. The numbers four versus five you will
13 hear were the subject of some discussion by Mr. Barnas.
14 And these were - more particularized things were going on
15 in the city. The fifth of which did deal with, at least
16 dealt with an issue that was on the election and that was
17 a borrowing limitation ordinance.

18 The foundation, the formation of this group
19 Mr. Barnas alleged was formed to oppose an ordinance that
20 was being voted on in the November election. The
21 documents conclusively show it wasn't even on the radar
22 screen for the purpose for this organization. This
23 organization tried to stay above the fray as good
24 government could.

25 The Florida Statute that Mr. Barnas has challenged

1 the Concerned Citizens group with is one dealing with
2 political committees and that's 106.011 which defines
3 political committees and a lot of things. Among them is
4 political committees and I'll give you a copy of it. The
5 principal operational language that we're going to be
6 talking about here is that a political committee has to
7 collect \$500 or more and spend it expressly advocating,
8 and those are the key words both in the law and in the
9 decisions that lead up to the writing of this law,
10 expressly advocating the election or defeat of a
11 candidate or the passage or defeat of an issue. Not
12 discussion of any of those things, but they must
13 expressly advocate and there's some case law on that. I
14 have given you something in the memo.

15 The reason for that is that political speech is
16 freely protected in the United States unless you get to
17 the point of expressly advocating and that generally
18 comes out to a vote for this or vote against this. What
19 they sometimes call magic words in advertisements. The
20 Concerned Citizens group stayed away from that and, in
21 fact, they even affirmatively said that. The atmosphere
22 in the community was toxic and they did not - they wanted
23 to stay above the fray and they succeeded.

24 So the issue that largely inflamed this or at least
25 partially inflamed this was a borrowing limitation

1 ordinance that was Mr. Barnas' primary project at that
2 time. Mr. Barnas was city commissioner. Still is.
3 Mr. Barnas was at that time the vice mayor of the city
4 and having been elected the previous November and people
5 who were philosophically aligned with him were the
6 majority and in the summer of 2012 Mr. Barnas on very
7 short notice achieved the passage through a series of
8 emergency meetings and special meetings never using a
9 general meeting of the full city commission passing this
10 borrowing limitation ordinance that provided that the
11 city commission could only spend up to a million dollars.
12 If they had to borrow anything, they had to go through a
13 very contrived, not contrived, but a rather detailed
14 process of getting super majority approval and election
15 vote by the people before they could borrow money and
16 that issue was on the ballot and that issue was sometimes
17 called the borrowing limitation ordinance, things of that
18 sort.

19 The group did not advocate for or against that.
20 There was also a candidate on the ultimate election in
21 November by the name of Byran Williams who won. He ran
22 against the candidate that Mr. Barnas supported named Pat
23 Rush. The Concerned Citizens group did not advocate for
24 or against either of those gentlemen, expressly advocate
25 or otherwise for that matter.

1 Mr. Barnas, when this group surfaced with all of its
2 concerns about good government, he has testified and will
3 testify today I'm sure that he planned a challenge to
4 this organization, a Florida Elections Commission
5 complaint even before the election started as soon as
6 they began to operate. That effort continued by him
7 throughout October, November, December all the way
8 through up until April of 2013 when he finally did file
9 the petition in question and his petition chose to file
10 the complaint against Sharon Yeago.

11 Sharon Yeago was a member of the Concerned Citizens
12 group. She was not on the steering committee. The
13 steering committee was widely published as to who those
14 four people were, but Sharon was sort of the public
15 relations spokesman, if you will, from time to time.
16 Other people were as well. She is in governmental food
17 planning bringing local food, good quality food into
18 under served neighborhoods, farmers markets on a
19 nationwide basis. She had set up the High Springs
20 farmers market years ago.

21 That's who he chose to bring an action against and
22 he did bring an action against her claiming that the
23 organization was set up specifically his words to
24 challenge the ordinance. Clearly not true. And to elect
25 Byran Williams. Clearly not true. He attached 30 pages

1 of documents in an attempt to create an issue as to the
2 legal sufficiency of those allegations. We'll go through
3 those separately later on. None of them rise to the
4 level of expressed advocacy. We filed a response on
5 behalf of Ms. Yeago demonstrating why there was no
6 expressed advocacy by this group for either of those,
7 either the issue or the campaign of Mr. Byran Williams
8 and as a result the Florida Elections Commission on June
9 10th determined that the petition by Mr. Barnas was, in
10 fact, or was, I shouldn't say in fact, was legally
11 insufficient.

12 Mr. Barnas was given 14 days if he wished to submit
13 any additional information. He chose not to. Mr. Barnas
14 did not challenge the conclusion that his complaint was
15 legally insufficient in any way. He did not appeal it
16 and at that time the conclusion that his petition and the
17 facts that he alleged were legally insufficient became
18 for the purposes of this proceeding collateral estoppel.

19 On July 10th Ms. Yeago filed a detailed petition for
20 attorney's fees pursuant to the statute that I gave you
21 first, 102.265 and the Florida Elections Commission Rule.
22 The rule requires that that be served on the commission
23 which we did. The commission was required to serve it on
24 Mr. Barnas. Mr. Barnas apparently didn't hear about it
25 for a while. When he did hear about it in October, and

1 this goes to the motion to dismiss which hopefully we
2 won't spend any time on, Mr. Barnas in a conversation
3 with the FEC agreed that he did want to continue, he
4 wanted to go forward. He filed a response and so
5 informed the commission.

6 That response went before the full Florida Elections
7 Commission in November at which time they perform, it's
8 difficult to describe exactly what their role is there.
9 It's kind of a probable cause hearing. Kind of an
10 allegations sufficient pleading hearing. Substantial
11 reasons. It's really hard to tell what that is, but
12 suffice it to say at the conclusion of that hearing they
13 concluded that it was an appropriate case to proceed to
14 hearing before Your Honor here at the Division of
15 Administrative Hearings.

16 The petition for fees not only demonstrates the fact
17 that the group was not set up to perform advocacy for
18 either of the issues, it negates each of the factual
19 allegations that Mr. Barnas alleged, but the petition
20 goes beyond that and we're going to spend some time
21 demonstrating how the petition really demonstrates that
22 Mr. Barnas had --

23 ALJ: I'm not - you know, your petition says what it
24 says. I'm here to listen to the evidence on why you
25 think you're entitled to attorney's fees.

1 MR. REGENSDORF: Yes, ma'am. But the petition
2 alleges the evidence and attaches it and that's going to
3 be offered into evidence, but be that as it may, and I
4 don't want to waste your time.

5 ALJ: Okay.

6 MR. REGENSDORF: And I apologize if it's taking too
7 long.

8 ALJ: Yes.

9 MR. REGENSDORF: Thank you. The complaint that we
10 will go through misstates critical points and
11 demonstrates that the motivation here was an
12 inappropriate motivation and amply sufficient to justify
13 the standard which is in 106.265. That standard calls
14 for malicious intent to injure reputation, but it's not
15 the actual malice of New York Times v. Sullivan in the
16 defamation context. It is, in fact, a far lesser
17 standard. Still a standard.

18 ALJ: I'm familiar with the standard.

19 MR. REGENSDORF: All right. And it's proven by
20 either actual knowledge of falsity or reckless disregard
21 and since the materials were clearly false and actually
22 known by him, Mr. Barnas researched this very, very
23 carefully, it's our belief and we believe the evidence
24 will establish that the legal standard of that statute
25 was met and the rule and the rule requires that the proof

1 be by clear and convincing evidence which is a middle
2 ground standard between obviously greater weight and
3 beyond a reasonable doubt. It is what you feel
4 comfortable with.

5 ALJ: I'm not a jury. I know what these standards
6 are.

7 MR. REGENSDORF: I understand. Thank you.

8 ALJ: Okay.

9 MR. REGENSDORF: Having been chided twice. I
10 represented Ms. Yeago. My firm assumed her defense in
11 April of 2013. We did it on a pro bono basis agreeing to
12 be compensated only if we recovered fees, if we prevailed
13 and recovered fees and we are still proceeding on that
14 basis. I have spent - I did virtually all the work. I
15 don't do pro bono cases to make other people do my pro
16 bono assignments. Well over a hundred hours at my
17 billing rate is \$505 at the beginning of this case.
18 That's probably higher than you can get really good
19 counsel for on a case like this. It happens to be my
20 billing rate. I have been practicing for 40 years
21 primarily as a commercial trial litigator in south
22 Florida. I'm also a board-certified appellate lawyer and
23 have chaired appellate rules committees so I'm an
24 experienced attorney.

25 The issue is not so much whether \$505 time 120 plus

1 hours is what's reasonable, but there is a substantial
2 fee that was generated here as a result in the defense of
3 Ms. Yeago. That's what we are going to show and thank
4 you for coming down here today.

5 MR. LITTLE: Your Honor, I'm Joe little and I
6 represent Mr. Barnas.

7 First of all, I would like to say that Mr. Barnas
8 disagrees with much of the testimony that was given there
9 by Mr. Regensdorf, at least in terms of the implications.
10 The court is familiar with the standard. I would just
11 like to emphasize at this point that the standard
12 requires two different things and that is it requires a
13 showing of a malicious intent to damage Ms. Yeago's
14 reputation and doing it by filing false statements with
15 knowledge of their falsity or in reckless disregard so
16 there are two different things and we think that the
17 evidence will show that Mr. Barnas had no malicious
18 intent and that he did not, certainly had no desire at
19 all to hurt Ms. Yeago's reputation and that he did not
20 act with reckless disregard or with knowledge of making
21 any false statements.

22 I think it's unnecessary for me to go beyond that,
23 Your Honor.

24 ALJ: Okay. Ready?

25 MR. REGENSDORF: Sure.

1 ALJ: Call your first witness.

2 MR. REGENSDORF: What I would like to do if it's all
3 right with Your Honor and Mr. Little, of course, is to
4 put in the evidence that I think we have at least agreed
5 to or have no objection to so that it's here if anyone
6 wants to use it. That way if that's acceptable to the
7 court.

8 ALJ: Sure.

9 MR. REGENSDORF: Do you prefer numbers or letters?

10 ALJ: I prefer numbers. Numbers are infinite.

11 MR. REGENSDORF: I knew I was going to guess wrong.
12 I just knew it and I did.

13 ALJ: Well, if you used letters, I'll use what you
14 used.

15 MR. REGENSDORF: I actually didn't mark it. To be
16 perfectly honest with you I did not mark it and so we can
17 proceed.

18 ALJ: Letters you run out of.

19 MR. LITTLE: You do.

20 MR. REGENSDORF: We didn't in Mr. Barnas'
21 deposition. By the way, well, also yesterday I received,
22 Mr. Barnas' deposition was taken on Friday the 21st a
23 couple days ago.

24 ALJ: I think I saw --

25 MR. REGENSDORF: Right. I did a notice of filing.

1 ALJ: I can tell you it was not in my office as of
2 yesterday.

3 MR. REGENSDORF: I would be absolutely amazed if it
4 were.

5 MR. LITTLE: Here is this. What are you looking
6 for?

7 MR. REGENSDORF: I made a copy of - knowing that it
8 was not going to get to the Judge's --

9 ALJ: Well, do I need it for this hearing or just
10 have it in evidence?

11 MR. REGENSDORF: At this point have it. I'm just
12 beflummoxed because I thought everything was packed up
13 and a copy was in here.

14 MR. LITTLE: Well, Your Honor, Mr. Barnas would
15 object to the introduction of the deposition. He's
16 sitting right here to give testimony.

17 ALJ: I know, that's why I say let's move on.

18 MR. REGENSDORF: My point was if during his
19 testimony there are comments from the deposition that I
20 wanted to refer to, generally the court wants to have a
21 copy of that in front of the court number 1. Number 2,
22 the presence of Mr. Barnas as a party does not prevent
23 the use of the deposition so while I appreciate that
24 may be the case for a witness -- I don't know where that
25 thing is except to say that I must have left it in High

1 Springs which is incredible.

2 ALJ: Let's try and proceed without it.

3 MR. REGENSDORF: Okay. But I do want - I have
4 offered it. I filed it for purposes of filing. I
5 apologize that I'm having a little trouble to get it.
6 All right. The first exhibit would be the complaint of
7 Mr. Barnas.

8 MR. LITTLE: No objection. You want to put these
9 on?

10 MR. REGENSDORF: I have some stickers.

11 ALJ: I'll scribble on them. Yeago exhibit 1.

12 MR. BARNAS: What's the date on that?

13 MR. LITTLE: It's the complaint.

14 MR. REGENSDORF: The letter transmittal date was
15 April 3rd. The filing date was April 3rd.

16 ALJ: Okay. What's next?

17 MR. REGENSDORF: Next is Ms. Yeago's response.

18 ALJ: Yeago 2.

19 MR. LITTLE: We have no objection to that, Your
20 Honor.

21 ALJ: Okay.

22 MR. LITTLE: But I will tell you just for background
23 that Mr. Barnas was never provided that until October of
24 2013.

25 ALJ: Right. And again it's the FEC's

1 responsibility to serve you with all this. If they
2 failed in that duty, I understand your problem, but you
3 should have raised it before them.

4 MR. LITTLE: Well, Your Honor --

5 ALJ: At this point your option is to request a
6 continuance so that you can get prepared for this
7 hearing.

8 MR. LITTLE: No. No. We are prepared for the
9 hearing.

10 ALJ: Okay.

11 MR. LITTLE: I just want you to be aware of that.

12 ALJ: Yes.

13 MR. LITTLE: That he was not provided anything and
14 it was not FEC's responsibility on that.

15 ALJ: I don't understand why it took them so long to
16 serve you with anything.

17 MR. LITTLE: Well, no. No.

18 ALJ: I really don't.

19 MR. LITTLE: They served. It was the responsibility
20 of Ms. Yeago or her lawyer to serve.

21 ALJ: So this was after the petition for attorney's
22 fees had been filed with the FEC?

23 MR. REGENSDORF: No.

24 MR. LITTLE: No. This particular one was a response
25 to his complaint.

1 ALJ: Oh, okay. I see.

2 MR. LITTLE: That he never got to respond to because
3 he didn't know it existed until after his complaint was
4 denied and I just mention that for background.

5 ALJ: All right.

6 MR. LITTLE: And we'll put on evidence to that just
7 to make sure that it's correct.

8 ALJ: It seems the FEC has a really rough process.

9 MR. REGENSDORF: Third would be the letter of June
10 10th from the FEC to Mr. Barnas concerning --

11 MR. LITTLE: No objection, Your Honor.

12 MR. REGENSDORF: -- legal insufficiency of his
13 complaint.

14 ALJ: Yeago exhibit 3.

15 MR. REGENSDORF: The next exhibit would be the
16 petition for attorney's fees of Ms. Yeago along with the
17 exhibits thereto which make it a composite exhibit as far
18 as I'm concerned, Your Honor.

19 ALJ: Any objections?

20 MR. LITTLE: May I see what's behind it there?

21 MR. REGENSDORF: You want one?

22 ALJ: No. Go right ahead and look.

23 MR. REGENSDORF: I have got one for you, if you want
24 it.

25 MR. LITTLE: Have I seen this before, Paul?

1 MR. REGENSDORF: Sure.

2 MR. LITTLE: Was this a part of the original
3 petition?

4 MR. REGENSDORF: Yes.

5 MR. LITTLE: Okay. No objection.

6 MR. REGENSDORF: No. I'm sorry. Nothing has been
7 added I assure you.

8 MR. LITTLE: Okay.

9 ALJ: That will be Yeago 4.

10 MR. LITTLE: What was the date of the petition?

11 MR. REGENSDORF: July 10th, I believe, without
12 trying to memories it. I believe that's correct. Next
13 is the composite of Mr. Barnas' response to the petition
14 dated October 29th, 2013.

15 MR. LITTLE: Do you have one of those for me?

16 MR. REGENSDORF: I do.

17 MR. LITTLE: Have I seen that?

18 MR. REGENSDORF: I'm sure you have. We'll mark it,
19 but that's okay. We marked a series of exhibits at
20 Mr. Barnas' deposition although he did not have his
21 copies there. Do you have your Concerned Citizens folder
22 there, Mr. Barnas, as we had talked about?

23 MR. BARNAS: (Proffering.)

24 MR. REGENSDORF: Thank you. This is - we'll see
25 what it is, but it's the file that he has on the

1 Concerned Citizens group, if you will.

2 MR. BARNAS: I didn't make a copy of that.

3 ALJ: I know you want to keep your file. I'm just
4 thinking.

5 MR. REGENSDORF: We can mark it and I'll be happy to
6 make copies of anything for anybody, however you want to
7 handle it.

8 MR. BARNAS: That's number 6?

9 ALJ: It will be number 6, yes.

10 MR. LITTLE: May I see it, Your Honor, before you
11 mark it?

12 ALJ: Sure. Absolutely.

13 MR. LITTLE: Thank you.

14 MR. BARNAS: I added that.

15 MR. REGENSDORF: Okay. Hold on a second. I don't
16 want to get things on the record that aren't supposed to
17 be on the record. If that has been changed since it was
18 produced, I had asked you to bring that to the
19 deposition. You didn't. We got through it by marking my
20 copy, but if you know you have put something in there
21 that was not in there before, I say this to Mr. Little, I
22 think whatever it is good, bad or indifferent it should
23 be removed. That's between you and your counsel. I
24 didn't have anything to do with that.

25 ALJ: Mr. Little.

1 MR. LITTLE: I have no objection to it.

2 ALJ: Okay.

3 MR. BARNAS: This is the only thing, Your Honor,
4 that was added. These pages are blow ups of something
5 that's in here so we can read it better.

6 MR. REGENSDORF: I have no problem after we mark
7 your copy of that, if when you're testifying about it, if
8 you want to bring out a blowup to make it easier for the
9 court or any of us to look at, that would be fine.

10 ALJ: Just hang onto that petition separately and
11 give me this file. This will be 6.

12 MR. BARNAS: How do we get that back?

13 MR. LITTLE: Mr. Regensdorf has offered to make
14 copies for all of us.

15 MR. REGENSDORF: Anything that I don't have a copy
16 for you of and that's one that I don't because you had
17 it, whatever the court wants to do as far as the exhibits
18 is fine.

19 ALJ: I would like copies made and I will take the
20 copies with me or do you want me to have the original?

21 MR. REGENSDORF: No. I'm not concerned about the
22 originals versus the copy.

23 ALJ: Okay. You can have copies made today I
24 hope.

25 MR. REGENSDORF: I'll do - whatever we can do, I'll

1 do.

2 ALJ: But I don't know what we have here to do that
3 with.

4 MR. REGENSDORF: I guarantee you whatever copying
5 facilities we have here is not the one we should utilize
6 in terms of efficiency. My only problem is I don't have
7 an office here, but we'll get it done.

8 MR. LITTLE: There's a Kinkos down on
9 University Avenue.

10 ALJ: Where are you from, Mr. Little?

11 MR. LITTLE: Gainesville, Florida.

12 ALJ: You're here then.

13 MR. LITTLE: May I inquire of Mr. Regensdorf, you
14 had a copy of this whole thing at the deposition. Don't
15 you have that with you?

16 MR. REGENSDORF: I do have my copy. My copy is
17 marked on though.

18 MR. LITTLE: Can't you substitute pages from here?

19 MR. REGENSDORF: Sure. There's a lot of ways we can
20 skin this cat. One way is just going to Kinkos and say
21 copy it and send me a bill. That's one way. The second
22 way is we can try to get the marked copies out. It seems
23 to me to be a little more tedious process. My suggestion
24 is we have a copy here to use during the hearing. At the
25 end of the hearing we'll see which ones we need copies of

1 and among the three of us we'll reason together and solve
2 that problem.

3 ALJ: So your copies are all marked?

4 MR. BARNAS: I made some notes, too.

5 MR. LITTLE: Your Honor, that's okay. Ultimately
6 it's not going to be the deciding factor on this hearing
7 here.

8 MR. REGENSDORF: Probably not.

9 ALJ: Okay. What's next?

10 MR. REGENSDORF: Next is a copy of a sign that
11 Mr. Barnas prepared for the election campaign in November
12 2012. It's three pages, I believe, and they were an
13 exhibit to the deposition. I don't have the number in
14 front of me.

15 ALJ: Yeago 7.

16 MR. REGENSDORF: Mr. Barnas, the next folder from
17 you is your web folder entitled web.

18 MR. BARNAS: I have got some notes on them, but I
19 don't think that should make a difference, but it is
20 extensive and it's the only one I have got.

21 MR. REGENSDORF: Same rules will apply to that.

22 ALJ: Do you need to look at it, Mr. Little?

23 MR. LITTLE: No.

24 ALJ: Yeago 8. Next?

25 MR. REGENSDORF: The next, Your Honor, will be my

1 time records at least through January and the retention
2 agreement with Ms. Yeago. I think, as far as I'm
3 concerned, you can make those a composite exhibit.

4 ALJ: All right. Yeago 9. Do you need to see it?

5 MR. LITTLE: Yes, please.

6 ALJ: All right.

7 MR. LITTLE: Thank you.

8 ALJ: Do you guys know you have no hearing rooms in
9 High Springs?

10 MR. REGENSDORF: Oh, I'm sure of that. High Springs
11 does not have a great deal of --

12 MR. LITTLE: Do you use City Hall?

13 ALJ: Often we use City Hall. We didn't have any
14 location listed in High Springs. We often use City Hall.

15 MR. REGENSDORF: The next is four photographs of a
16 different sign in the November election. For the court's
17 information, black and white copies are included in the
18 response of Ms. Yeago. This is the color print that they
19 were taken from of the actual sign that I obtained last
20 night so we have that here.

21 MR. LITTLE: Your Honor, I need to see that.

22 ALJ: Okay.

23 MR. REGENSDORF: This was marked during the
24 deposition.

25 MR. LITTLE: Yes. Well, we objected then. We

1 object now as to the authenticity of that.

2 ALJ: Let me circle it. They are objecting to
3 authenticity. That means you're going to have to give me
4 a foundation for it.

5 MR. REGENSDORF: Well, let me - the copies of that
6 are in the response of Ms. Yeago. They are already
7 before the court without objection.

8 ALJ: No, they're not. If they don't come in in
9 this hearing, they're not in.

10 MR. REGENSDORF: They're included in the materials
11 that I already offered to you is what I'm saying.

12 ALJ: Okay. That doesn't make them evidence for the
13 purpose -- Well, I guess, it depends on your purpose for
14 offering them.

15 MR. REGENSDORF: Right.

16 ALJ: Okay.

17 MR. REGENSDORF: But there was no objection to that,
18 be that as it may.

19 ALJ: Okay. You may have to lay a foundation for
20 them.

21 MR. REGENSDORF: Well, again the affidavit of the
22 individual who took these photographs is already in as an
23 attachment.

24 ALJ: Okay. If you don't need them as a separate
25 exhibit, that's fine.

1 MR. REGENSDORF: To have an objection now, that's
2 just a little --

3 MR. LITTLE: Your Honor, this goes back to the fact
4 that Mr. Barnas was never served by Yeago.

5 ALJ: Okay. That's why this is the point where you
6 offer all the evidence you intend to offer to either
7 support or defend. This is the hearing. Just because
8 it's come in before or because you have given it to me in
9 a document doesn't make it come in for evidence. It's
10 useful. It may come in as an attachment to a document.
11 That doesn't make it useful as evidence.

12 MR. REGENSDORF: Yes. It's got to be useful to you.
13 I fully understand. I understand the concept the
14 doctrine of usefulness. I understand that doctrine. The
15 other documents that I might as well talk about them now.
16 Mr. Barnas has filed complaints against a number of other
17 individuals in the High Springs area. There's an
18 objection as to the relevance of these documents.

19 ALJ: Well, I was getting ready to ask you why are
20 these complaints that aren't before me relevant?

21 MR. REGENSDORF: And the reason is that the only
22 substantial issue here is the conduct of Mr. Barnas in
23 this proceeding. In other words, I have to establish
24 that he either knew or acted with reckless disregard and
25 the purpose of this is to show that in the area of

1 similar acts, similar occurrences for the state of mind,
2 common plan, scheme or design Mr. Barnas is a serial
3 filer of complaints which are routinely denied as being
4 legally insufficient. As a result, when he began to
5 build this complaint against Ms. Yeago, he had an
6 established track record which is relevant to Your
7 Honor's conclusions and determinations with respect to
8 why he filed this. Did he file it with reckless
9 disregard for the truth of the matters to render them
10 legally insufficient. So I think on an evidentiary basis
11 they are relevant and admissible and in that capacity. I
12 think it's 404, but I'll go ahead and get the evidence
13 cite.

14 ALJ: I will go ahead and mark them, but you're
15 going to have to lay a foundation as to why they're
16 relevant in this proceeding.

17 MR. LITTLE: Your Honor, may I add to that that
18 they're irrelevant because they have nothing to do with
19 this procedure, but if they were relevant, there would
20 still be a requirement to prove that each one of those
21 was filed to the same standard.

22 ALJ: I understand.

23 MR. LITTLE: Okay. There is going to be no evidence
24 to that.

25 ALJ: That's why I can't say anything about them at

1 this point.

2 MR. REGENSDORF: And just to demonstrate --

3 ALJ: But I'll mark them. I'll give them a
4 number.

5 MR. REGENSDORF: That's fine. I'll do that. Well,
6 let me finish that up. The first is a complaint
7 with respect to Mr. Boukari in the Ethics Commission
8 report is the next --

9 MR. BARNAS: I'm sorry. What was number 11?

10 ALJ: This is going to be --

11 MR. LITTLE: He's making a proffer.

12 ALJ: I'm marking them for identification only at
13 this point.

14 MR. LITTLE: And Barnas objects, Your Honor.

15 ALJ: Well, I understand that. I haven't heard any
16 evidence in this case yet to make a ruling. They're not
17 being offered into evidence. I'm only marking them for
18 identification --

19 MR. LITTLE: Thank you, Your Honor.

20 ALJ: -- for when we do talk about them. This will
21 be Yeago exhibit 11 for identification.

22 MR. BARNAS: And what's the title on that?

23 MR. REGENSDORF: Boukari complaint.

24 ALJ: Yeah. Boukari complaint. I don't give titles
25 to documents.

1 MR. REGENSDORF: Yes. They're what they are.

2 MR. LITTLE: What was number 10?

3 MR. REGENSDORF: Number 10 was the --

4 ALJ: The picture. That again is only being marked
5 for identification.

6 MR. REGENSDORF: We're all caught up. Number 12 is
7 a complaint against Mr. Drumm and the denial of it.

8 MR. LITTLE: Barnas objects. You don't mind if I
9 make my objections on the record do you, Your Honor?

10 ALJ: No. Yeago 12.

11 MR. REGENSDORF: The complaint by Mr. Barnas against
12 Mr. DePeter and the denial by the Ethics Commission.

13 MR. LITTLE: Object.

14 ALJ: Okay. That's 13.

15 MR. REGENSDORF: 14 is the complaint against Larry
16 Travis and the consent order with respect to that by the
17 Elections Commission.

18 MR. LITTLE: Object.

19 ALJ: Okay. Yeago 14 for identification.

20 MR. REGENSDORF: There is another complaint and
21 frankly I got tired of killing trees, but if we have to
22 mark it, there's one involving a lady named Chapman and
23 I'll just mention that, but I'm not going to offer it at
24 this point because it's substantially - we'll talk about
25 it with Mr. Barnas. And just to show that I'm not

1 completely senile, but I'm moving desperately in that
2 direction let me just give you, because I have filed it
3 with the Elections Commission, if there is any importance
4 for you having the copy of Mr. Barnas' deposition.

5 ALJ: You found it or is this your copy?

6 MR. REGENSDORF: No, it's not my copy. I found it.
7 I discovered it in the mass of information.

8 MR. BARNAS: That is 15?

9 MR. REGENSDORF: No. It's not an exhibit at all.

10 MR. LITTLE: It's just a gift.

11 MR. REGENSDORF: Its a gift.

12 ALJ: Yes. It might come into play, it might not.

13 MR. REGENSDORF: That's correct. That's correct.

14 At this point it is not being offered in evidence.

15 ALJ: Is that it?

16 MR. REGENSDORF: It is. I may want to take a break
17 at some point and see if there are some other things, but
18 that gets us started.

19 ALJ: Mr. Little, do you have anything at this time?

20 MR. LITTLE: Your Honor, I would prefer to do my
21 exhibits with Mr. Barnas.

22 ALJ: That's fine. Who is your first witness?

23 MR. REGENSDORF: My first witness is Robert
24 Barnas.

25 ALJ: Mr. Barnas, if you would, raise your right

1 hand for me, please, to be sworn.

2 Thereupon,

3 ROBERT BARNAS

4 after having been first duly sworn, testified as follows,

5 ALJ: Okay.

6 DIRECT EXAMINATION

7 BY MR. REGENSDORF:

8 Q. State your name, please, sir.

9 A. Robert Joseph Barnas.

10 Q. Where do you live, sir?

11 A. 20147 Northwest 257th Terrace, High Springs.

12 Q. What's your date of birth?

13 A. January 2, 1948.

14 Q. You are a citizen and resident of the city of High
15 Springs?

16 A. Yes.

17 Q. In 2011 you were elected to the commission and then
18 to the vice mayor position, correct?

19 A. Correct.

20 Q. And held that until the following election in
21 November of 2012, correct?

22 A. Correct.

23 Q. At the city you have an e-mail address that was
24 given to you for your official business, correct?

25 A. Correct.

1 Q. What's that e-mail address?

2 A. Bbarnas@highsprings.us.

3 Q. In the materials in evidence are the e-mails back
4 and forth between you and the Florida Elections Commission in
5 October of 2013 concerning the attorney's fees hearing. Are
6 you familiar with those documents? If not, I can get you the
7 exhibit.

8 A. I don't think we entered those, did we?

9 Q. Yes.

10 A. Which date period?

11 MR. REGENSDORF: It's exhibit 5. Perhaps, do you
12 have a copy of that, Judge, to show the witness?

13 BY THE WITNESS:

14 A. Did that have e-mails in it?

15 BY MR. REGENSDORF:

16 Q. I believe so. Does that have e-mails on it,
17 Mr. Barnas?

18 A. It's got one e-mail on it and it's dated 10/29.
19 Okay. I see where you're going with this one. That's --

20 MR. LITTLE: Just wait for a question.

21 BY MR. REGENSDORF:

22 Q. Here's my question, Mr. Barnas. When you
23 communicated with Ms. Malphurs at the Florida Elections
24 Commission, you did it by e-mail on the 28th and then talked
25 to her on the 28th and 29th, correct?

1 A. No.

2 Q. How did you communicate with her by e-mail?

3 A. On the 28th I first called her by phone, then either
4 on the 28th or 29th we continued phone conversations and
5 exchanged e-mail and I believe she sent me the bulk of the
6 e-mails on the 28th.

7 Q. Okay. The e-mail address you were using to
8 communicate with her was the city's e-mail address, correct?

9 A. Correct.

10 Q. You did not use a personal e-mail address?

11 A. No.

12 Q. The city of High Springs had nothing whatsoever to
13 do with your complaint against the Concerned Citizens or
14 Sharon Yeago, correct?

15 A. Absolutely correct.

16 Q. You didn't get permission to utilize city
17 communication systems to represent your interest there,
18 correct?

19 A. No.

20 Q. That complaint was filed solely by you personally,
21 right?

22 A. Yes.

23 Q. Okay. Shortly after you got on the city commission,
24 the city commission fired the then city manager, correct, Jim
25 Drumm?

1 A. No.

2 Q. When was Mr. Drumm let go?

3 A. I think he resigned as I recall.

4 Q. Okay. Did you file a complaint against Mr. Drumm as
5 the city manager before he resigned?

6 MR. LITTLE: Object.

7 MR. REGENSDORF: And I understand. You can object
8 to each question or I certainly will give you a standing
9 objection to any complaint because I don't want to burden
10 the record, but whatever you feel is necessary to do, go
11 ahead.

12 BY THE WITNESS:

13 A. My answer will be without knowing the dates, I don't
14 know if the complaint, whether the complaint was before or
15 after he left.

16 BY MR. REGENSDORF:

17 Q. Regardless of the date, you filed a complaint
18 against the city manager Jim Drumm?

19 A. Correct.

20 Q. With the Ethics Commission, correct?

21 A. Correct.

22 Q. The document has been proffered as an exhibit.
23 Ultimately did you research that yourself before you filed
24 it?

25 A. Yes.

1 Q. Did you have any assistance, legal assistance or
2 otherwise in preparing or drafting that document?

3 A. No.

4 Q. Ultimately the document was denied as being legally
5 insufficient by the Commission on Ethics, correct?

6 MR. LITTLE: Object to the question, Your Honor.

7 BY THE WITNESS:

8 A. I can't answer that.

9 MR. REGENSDORF: What's the objection, Joe, and I'll
10 try to cure it?

11 MR. LITTLE: Relevance.

12 MR. REGENSDORF: Okay. The relevance objection I
13 understand.

14 ALJ: Well, it's sustained right now. I don't see
15 the relevance of it.

16 MR. REGENSDORF: Okay.

17 BY MR. REGENSDORF:

18 Q. At some point did you start a website that
19 communicated your thoughts and views concerning city business
20 and people in the city of High Springs?

21 A. Somewhat, correct.

22 Q. What's not correct about it, sir?

23 A. It was - it did cover all subjects, not just city
24 business. It covered the website, covered city business, city
25 activities, city events, my faith. I had a faith page and

1 pictures and events throughout the city.

2 Q. Okay. Do you recall when you started that
3 website?

4 A. It would have been shortly after the election or
5 late 2012, early 2013 as best I recall.

6 Q. Well, the website was in effect at the time of the
7 November 2012 election, was it not?

8 A. I don't recall.

9 Q. You posted concerning the Concerned Citizens
10 group?

11 A. It would have been. Correct. It would have had to
12 have been. Correct. It would have had to have started
13 because -- Well, I -- Can I rephrase that, Your Honor?

14 Q. Sure.

15 A. Again, I'm not sure. When I spoke of the Concerned
16 Citizens, they were in operation so it could have happened
17 after the election. It could have happened right about the
18 time, but I'm going to say late, without knowing exactly, late
19 2010.

20 MR. REGENSDORF: I'm going to take a minute and if I
21 may have just a second, Judge.

22 BY MR. REGENSDORF:

23 Q. Just to give you a time frame, let me hand you a
24 document more to give you some time frame than anything else,
25 Mr. Barnas. First of all, do you recognize what that page

1 is?

2 A. Yes.

3 Q. What is that page?

4 A. That's a page from my website, front page, yes.

5 Q. What's the date of that particular one that I have
6 pulled out?

7 A. November 2nd, 2012.

8 Q. Which was four days before the election, correct?

9 A. Correct.

10 Q. When you look at that page, does that refresh your
11 recollection that your website had been in effect since before
12 that time and you were already blogging or posting posts
13 with respect to events in High Springs before that time?

14 A. Yes.

15 Q. And, in fact, you posted a number of things by that
16 time concerning the Concerned Citizens group, correct?

17 A. I don't recall.

18 MR. REGENSDORF: We would ask to have that marked
19 since he referred to it. I'll just offer it.

20 ALJ: That will be 15. Any objections?

21 MR. LITTLE: Your Honor, I need to see it.

22 MR. REGENSDORF: I'm sorry, Mr. Little.

23 MR. LITTLE: No objection, Your Honor.

24 ALJ: All right. Yeago 15.

25 BY MR. REGENSDORF:

1 Q. That website has been shut down now, correct?

2 A. No.

3 Q. You stopped posting to it on November 17th of 2013,
4 correct?

5 A. That's correct.

6 Q. The city manager asked you to take it down to avoid
7 the city getting sued; is that correct?

8 A. No.

9 Q. Why did he ask you to take it down?

10 A. The city manager never asked me to take it down.

11 Q. Who did?

12 A. I offered to stop posting.

13 Q. Why?

14 A. Just felt it was a good thing to do for this period
15 of time when we were trying to have kumbaya in High Springs.

16 Q. Okay. In July of 2012 you made plans for and
17 ultimately got passed a borrowing limitation ordinance,
18 correct?

19 ALJ: Say your question again.

20 MR REGENSDORF: I'll rephrase it. If neither the
21 Judge nor the witness picks it up, that's a pretty good
22 indication that the question sucked so we'll try it
23 again.

24 ALJ: Okay.

25 BY MR. REGENSDORF:

1 Q. In July of 2012 you first proposed a borrowing
2 limitation ordinance for the city of High Springs as a charter
3 amendment, correct?

4 A. Yes.

5 Q. And the first approval I believe of that was on July
6 17th or July 19th of 2012, correct?

7 A. I would agree with that.

8 Q. The final approval of that was on July 31st, 2012,
9 correct?

10 A. I would agree with that, too.

11 Q. Each of the meetings between the 17th and the 31st
12 were held at either emergency meetings or special meetings in
13 order to meet the timetable that you had to meet to get on the
14 ballot, correct?

15 A. Correct.

16 Q. After that ordinance passed and was scheduled to go
17 on the ballot in November, a lawsuit was filed challenging the
18 legality or constitutionality of that ordinance, correct?

19 A. Correct.

20 Q. Brought by Mr. Ross Ambrose?

21 A. Correct.

22 Q. His attorney in that case was a Linda Rice Chapman,
23 correct?

24 A. Correct.

25 Q. Just so the names might mean something. Eventually

1 you filed a bar complaint against Linda Rice Chapman, did you
2 not?

3 A. That is correct.

4 MR. LITTLE: Object.

5 BY MR. REGENSDORF:

6 Q. Linda Rice Chapman also represented a city planner
7 who had been let go by you as the city, correct?

8 A. Correct. Can I rephrase that?

9 MR. LITTLE: Yeah. Sure.

10 BY MR. REGENSDORF:

11 Q. Always. As far as I'm concerned you can.

12 A. You said -- Your question -- Repeat the question.

13 Q. Ms. Chapman represented a guy named Christian
14 Poppali who was the city planner who had been fired by the
15 city, correct?

16 A. Could you read the question?

17 MR. LITTLE: Answer that question.

18 BY THE WITNESS:

19 A. Fired by the city? Say that again. Fired by the
20 city?

21 BY MR. REGENSDORF:

22 Q. Mr. Poppali was let go by the city?

23 A. You said fired this last time.

24 Q. I tried to - I'm trying to solve this problem.

25 ALJ: All right. Stop. Ask the question again.

1 You listen very carefully to it and you answer that
2 question, if you can, okay? Go.

3 BY MR. REGENSDORF:

4 Q. Mr. Poppali was discharged by the city of High
5 Springs, was he not?

6 A. I'm trying to remember what the circumstance was
7 for.

8 MR. LITTLE: The question is was he discharged by
9 the city of High Springs?

10 BY THE WITNESS:

11 A. Yes.

12 BY MR. REGENSDORF:

13 Q. Ms. Linda Rice Chapman represented Mr. Poppali in a
14 wrongful discharge case against the city, correct?

15 A. Yes.

16 Q. That case was ultimately settled, correct?

17 A. Correct.

18 Q. At one point you were upset about that case and
19 wanted to seek attorney's fees against her, did you not, for a
20 frivolous lawsuit?

21 A. No.

22 Q. Did you ever indicate an interest in seeking
23 attorney's fees against her for bringing that lawsuit against
24 the city?

25 MR. LITTLE: Objection.

1 MR. REGENSDORF: I'll withdraw the question. I'll
2 withdraw that question.

3 BY MR. REGENSDORF:

4 Q. That case was ultimately settled for \$117,000.00,
5 correct?

6 A. Correct.

7 Q. When did you first hear about the formation of a
8 group called the Concerned Citizens For A Better High
9 Springs?

10 A. The first time I ever saw the name Concerned
11 Citizens?

12 Q. No. When did you first hear about the formation of
13 a group called the Concerned Citizens For A Better High
14 Springs?

15 A. September of 2012.

16 MR. REGENSDORF: Your Honor, could we have
17 Mr. Barnas' complaint which is exhibit 1.

18 ALJ: Do you want him to have it or you?

19 MR. REGENSDORF: I need him to have it. Thank you
20 very much.

21 ALJ: All right.

22 MR. REGENSDORF: I have got an extra copy, if you
23 want to have it, Your Honor.

24 ALJ: I would like to look at the exhibit while
25 they're being testified about.

1 MR. REGENSDORF: That's why.

2 ALJ: You can actually hand him the copy, if you
3 want. I like to keep my exhibits.

4 MR. REGENSDORF: That is perfectly fine with me.

5 BY MR. REGENSDORF:

6 Q. Let me hand you, Mr. Barnas, what has been marked as
7 exhibit 1 in this proceeding and ask you other than the first
8 two pages which are the cover page whether you recognize that
9 document?

10 A. Yes.

11 Q. You have testified that you began to think about
12 filing a complaint against the Concerned Citizens group
13 shortly after they were formed perhaps in October of 2012,
14 correct?

15 A. No. When did I say that?

16 Q. Well, Friday would be one time. But my question is
17 do you remember that you began to consider filing what turned
18 out to be an April 2013 complaint in September or October of
19 2012?

20 A. No.

21 Q. Let me ask you first of all, do you remember your
22 deposition being taken Friday?

23 A. Yes.

24 Q. And do you remember you were placed under oath at
25 that time just as you are under oath today?

1 A. Yes.

2 Q. Page 80, line 12. I'll let Joe get his copy out.

3 MR. LITTLE: I have got it.

4 BY MR. REGENSDORF:

5 Q. Okay. When did you first begin to consider filing a
6 complaint against the Concerned Citizens group or any member
7 of the Concerned Citizens group?

8 Answer: I would guess shortly after they formed,
9 probably in September 2012.

10 And let me give you the ambulance of that.

11 I said okay. And why were you already thinking
12 about a complaint against them as early as that before the
13 election?

14 Answer: Let me rephrase or let me reanswer that
15 question now that I think about it.

16 I said sure.

17 Answer: I saw, whatever date I saw the disclaimer
18 is when I would have first thought about it so I can't
19 remember exactly. I know I saw the disclaimer online, I
20 believe, October 3rd on their Facebook.

21 Okay?

22 A. That would be a correct statement.

23 Q. All right. So as soon as you saw this group or at
24 least a disclaimer as you describe it you were already
25 thinking about bringing an Elections Commission complaint

1 against them, correct?

2 A. I'm going to say no.

3 Q. Okay. Why would you say no now and yes on Friday?

4 A. I just thought - the thought of filing a complaint,
5 and I'm somewhat confused about the question as it relates to
6 that when we thought or of what they were doing wrong or
7 filling a complaint is somewhat mixed up with me right now.
8 But I will agree that I made that statement on Friday so that
9 statement is true.

10 Q. Okay. When did you first begin to do your research
11 into the legal requirements of a group against whom you could
12 file a complaint?

13 A. After I spoke to FEC.

14 Q. Well, you were posting comments about a group that
15 takes positions on issues becomes a political committee even
16 before the election, were you not?

17 A. Correct.

18 Q. And that was because you had begun to try to educate
19 yourself about this group that had just formed in the city of
20 High Springs, correct?

21 A. Correct.

22 Q. Let's turn for a minute to your complaint, exhibit 1
23 here. The attachments that are affixed to that were all
24 selected by you, correct?

25 A. Correct.

1 Q. The pages are numbered at the bottom although
2 frankly they're not easy to read. I have gone ahead and
3 numbered my set that may be of some help to us. I don't know.
4 The earliest document I see about any publication concerning
5 them is page 16, a page that looks like this, Mr. Barnas.
6 Looks like this.

7 A. Yes, I have got it.

8 Q. You see that?

9 A. Yes.

10 Q. That's from a newspaper in the area; is that
11 correct?

12 A. Correct.

13 Q. Okay. First of all, are there any people's names
14 listed in that publication that are affiliated with Concerned
15 Citizens for High Springs?

16 A. John Manley.

17 Q. Was he described as one of the organizers?

18 A. One of the initial organizers of the group.

19 Q. Okay. Turn to the next page which would be page 17
20 in the FEC's numbering. Is that another article published in
21 the area?

22 A. Correct.

23 Q. Does that, and I direct your attention to just below
24 the middle, does that document identify any of the steering
25 committee members or the chair of that steering committee?

1 A. Yes.

2 Q. Who was identified as the chair of the steering
3 committee?

4 A. John Manley.

5 Q. Same gentleman referred to on the previous page?

6 A. Correct.

7 Q. And who are the other members of the steering
8 committee?

9 A. Becky Johnson, Bob Jones and Linda Jones.

10 Q. Okay. Let's go to the last two pages of that
11 document exhibit 1. Do you have that? The very last two
12 pages. The newspaper advertisement, if you would.

13 MR. LITTLE: Which page are you on now?

14 MR. REGENSDORF: The last two pages, number 31 and
15 32 in the FEC numbering system. It looks like this,
16 Joe.

17 MR. LITTLE: I have it.

18 BY MR. REGENSDORF:

19 Q. Okay. Do you have that, Mr. Barnas?

20 A. Yes.

21 Q. On the second page of that which is the very last
22 page of this exhibit there's a listing apparently of the
23 people who have signed up to support the Concerned Citizens
24 For A Better High Springs; is that correct?

25 A. Correct.

1 Q. Does that document identify the names of the
2 steering committee of the group just before the election of
3 November 2012?

4 A. Yes.

5 Q. Who are the people identified as the steering
6 committee on that document?

7 A. Becky Johnson, Bob Jones, Linda Jones, John Manley.
8 That appears to be them.

9 Q. Okay. Is Ms. Yeago's name on that list as a
10 supporter or member of the organization?

11 A. Yes.

12 Q. Is she identified as the steering committee or other
13 formal position with that group?

14 A. No.

15 Q. In the back of the petition itself, the first page
16 of the petition which is the third document here, it's the
17 confidential complaint form from the state. Do you see the
18 document I'm talking about? That one right there.

19 A. Yes.

20 Q. That one right there. It's a typed fill in the
21 blank form. Who did the physical typing on that?

22 A. I did.

23 Q. The very bottom of that -- Well, first of all, in
24 the middle of that page it's got the person against whom the
25 complaint is brought and you listed Sharon Yeago, correct?

1 A. Correct.

2 Q. It says name of committee and organization and you
3 did not put anything in there. Why not?

4 A. That goes to what I was told by the FEC.

5 Q. Okay. The bottom of the page, could you read the
6 four lines at the bottom of the page that you typed?

7 A. Sharon Yeago formed an organization with Linda Jones
8 and several others to make political positions known and --

9 Q. Actually it says no, but I understand. Go ahead.

10 A. No. Yeah. Known and most specifically to oppose a
11 ballot referendum issue to limit debt. This was on the ballot
12 November 12th in the city of High Springs, Florida. Details
13 of the complaint and Florida Statute is attached.

14 Q. On the next page is a signature in the middle of the
15 page. Is that your signature?

16 A. Yes.

17 Q. You signed it in front of a notary and swore under
18 oath that the information contained in this document and its
19 attachments were true and correct to the best of
20 your knowledge, correct?

21 A. Correct.

22 Q. And you knew that you were committing a misdemeanor
23 if you were to file something that wasn't true when you filed
24 it? You knew that to be so, correct?

25 A. Correct.

1 Q. Now, going back, first of all, to the first article
2 we looked at briefly which is page 16, would you agree this
3 was the first published article about the citizens group?
4 Certainly it's the first one you found and attached to your
5 complaint, correct?

6 A. No.

7 Q. Where is the first one?

8 A. Well, let me -- I'm thinking of the date. Hold
9 on.

10 MR. LITTLE: Your Honor, I'm a little confused about
11 the question here.

12 MR. REGENSDORF: I always seek to clear up my
13 confusing questions. Let me try again.

14 BY MR. REGENSDORF:

15 Q. The article on page 16 of your complaint is dated
16 Monday, October 1st, 2012, correct?

17 A. Correct.

18 Q. Is that to the best of your knowledge the first time
19 there was any press about this organization in the local
20 media?

21 A. Other than Facebook?

22 Q. Yes.

23 A. Yes, press.

24 Q. Okay. Is there any reference in this document page
25 16 whatsoever that says that the organization was

1 "specifically formed to oppose a ballot referendum issue to
2 limit debt"?

3 A. It references Facebook which is later in a page on
4 October 10th that did.

5 Q. Let's take it one step at a time, Mr. Barnas.

6 A. No.

7 Q. This document doesn't make any reference or
8 suggestion that the group was formed to specifically oppose
9 your ballot issue on borrowing limitations?

10 A. No.

11 Q. Let's turn to the second article which, I believe,
12 shows a publication dated the 8th of October, if I'm reading
13 it correctly. Ms. Yeago's name appears in that third
14 paragraph, correct?

15 ALJ: Which article?

16 MR. REGENSDORF: This one, Your Honor. I'm sorry.

17 You got it.

18 ALJ: Okay.

19 BY MR. REGENSDORF:

20 Q. Ms. Yeago's name does appear in that article,
21 correct? Third paragraph. Actually it's the second
22 paragraph. I'm sorry.

23 A. Second paragraph and fourth.

24 Q. Correct? She was described as being the publicity
25 chair, correct?

1 A. Correct.

2 Q. Is there any suggestion or implication in this
3 article whatsoever that this group was formed specifically to
4 oppose the ballot referendum issue?

5 A. I would call your attention to the third paragraph
6 where they said in fewer than five days was formed to support
7 good policy decisions in our government.

8 Q. Okay.

9 A. It goes down to the next line where it says were
10 able to attract so many citizens interested in supporting good
11 policy decisions in city government.

12 Q. Okay.

13 A. They speak about a restoration of a long standard of
14 government that includes a comprehensive budget process which
15 I feel relates to the debt of the city.

16 Q. Okay.

17 A. Next page?

18 Q. Sure. Go ahead. Every reference that you think
19 demonstrates that this group announced that it was
20 specifically formed to oppose a ballot referendum.

21 A. They refer to - in one paragraph they say they're
22 not a political group and in paragraph three on page 2 they
23 say good policy transcends politics.

24 Q. Okay.

25 A. So that's enough.

1 Q. Well, it's not a question of what's enough,
2 Mr. Barnas. We would like to know every place in this article
3 where you drew support for your statement under oath that
4 they were specifically formed to oppose the ballot referendum
5 issue that you had put on the ballot. Any other things that
6 you're using to form that reasonable basis of conclusion?

7 A. Not on this page. I need water.

8 MR. LITTLE: You need water?

9 MR. REGENSDORF: Can we take a short break?

10 ALJ: If you're at a stopping point, we can take a
11 short break.

12 MR. REGENSDORF: Not a long break, but a short
13 break.

14 ALJ: Five minutes.

15 (Short recess.)

16 ALJ: Back on the record.

17 MR. REGENSDORF: My attorney's fees guy Mark Herron
18 has arrived. I told him to get here around 11:00. I'm
19 still going to be a while with Mr. Barnas. My guess is
20 people would want to take a lunch break. I'm not pushing
21 one way or the other, but traditionally, you know,
22 whatever, but I wanted to talk to the court about what
23 you wanted to do about scheduling because I don't mind
24 putting him on out of turn or at least offering him. You
25 going to object?

1 ALJ: No because he was wanting to take a witness
2 out of turn, but you have sent her on, right?

3 MR. LITTLE: Right.

4 MR. REGENSDORF: Who, Carol?

5 MR. LITTLE: Yes.

6 ALJ: All right.

7 MR. LITTLE: We object to this witness because he
8 was not listed at our counsel meeting that you had
9 ordered.

10 ALJ: Yeah.

11 MR. REGENSDORF: And for the record --

12 ALJ: Or is he in the stipulation?

13 MR. REGENSDORF: Yes, he is in the stipulation. He
14 was put in when I was drafting - I was drafting it at
15 first and I had the list. I didn't give it to Joe. I
16 absolutely confess that on the Monday that we met, I
17 didn't put it there. We hadn't exchanged anything before
18 then.

19 MR. LITTLE: Well, that's not true.

20 MR. REGENSDORF: I'm sorry. You had drafted
21 something over the weekend. You just appeared in the
22 case and when I put everything together, I put his name
23 in on Wednesday and then he objected. And I said where
24 is the prejudice? But be that as it may, so that's the
25 story. I can argue Binger if you want to or whatever

1 else you would like to argue. My point is he's traveled
2 down here from Tallahassee. I would like to preserve his
3 testimony whenever it's least inconvenient to the court.
4 If you would rather have me finish Mr. Barnas, I'll
5 certainly do that, too, but it's going to be a little bit
6 of time.

7 ALJ: Well, as I told you, I don't mind taking
8 witnesses out of order. I'm not a juror. I don't get
9 confused by the testimony.

10 MR. REGENSDORF: I understand.

11 ALJ: That's not the issue.

12 MR. LITTLE: Your Honor, we object to the testimony.
13 We don't object to taking him out of order.

14 ALJ: No. I understand. You all met when? You all
15 had your little pretrial conference when?

16 MR. LITTLE: Monday the - ten days before --

17 MR. REGENSDORF: Like the 10th. It was the 10th.
18 We met on the 10th.

19 MR. LITTLE: The 15th.

20 MR. REGENSDORF: No. We filed it on the 15th. We
21 filed it on 15th.

22 MR. LITTLE: We met on Monday before. 15 days
23 before. The 10th.

24 ALJ: Pull out your phone and look at the
25 calendar.

1 MR. REGENSDORF: We met on the 10th. We filed it on
2 the 14th which was one day earlier than you required the
3 pretrial stip to be in place, if I recall.

4 ALJ: Now, what happened at this meeting?

5 MR. REGENSDORF: Well, we sat down. We talked about
6 issues. We talked --

7 ALJ: Did you exchange the list at the meeting?

8 MR. REGENSDORF: I didn't give him my list. That is
9 absolutely correct. He had given me his list over the
10 weekend and I just put my list in when I typed it up
11 after we worked out some language issues and edited it
12 and my next draft went back on Wednesday and he objected
13 promptly. There is no question about that. As I said, I
14 think Binger is the controlling case.

15 ALJ: He objected to you, right?

16 MR. REGENSDORF: He objected in the stip, too. We
17 put it in the stip.

18 ALJ: That's right.

19 MR. REGENSDORF: It's in the stip. I'm not
20 suggesting --

21 ALJ: I remember reading that now.

22 MR. REGENSDORF: Yeah. My point is that that's not
23 the test for keeping a witness off --

24 ALJ: No, it's not.

25 MR. REGENSDORF: -- under Binger so...

1 ALJ: How were you prejudiced by it?

2 MR. LITTLE: Well, the prejudice comes from not
3 having enough time to prepare our entire case, you know.
4 If there is a prejudice, that's it.

5 ALJ: Yes. I mean, your solution to that is to ask
6 for a continuance --

7 MR. LITTLE: Yes.

8 ALJ: -- in that instance because, you know, I
9 recognize that you all got late notice of the petition
10 and, you know, I'm aware of that, but the solution to
11 that is to ask for a continuance so I'm going to let --
12 What's this man's name?

13 MR. REGENSDORF: Mark Herron.

14 ALJ: I'm going to let Mr. Herron testify. Your
15 objection is denied.

16 MR. REGENSDORF: Tell me what your preference is. I
17 don't care.

18 ALJ: I would just as soon do Mr. Herron now and
19 send him back to Tallahassee.

20 MR. REGENSDORF: He may have something else to do
21 here, but there's no point in having him sit out in the
22 waiting room.

23 ALJ: No. He can get on with his business because
24 Mr. Barnas is going to be here.

25 MR. REGENSDORF: Thank you, Your Honor.

1 ALJ: And if you want to call your witness and see
2 if you can get her back, I'll take her out of order,
3 too.

4 MR. LITTLE: Well, she's eating lunch, but she
5 may be back before Mr. Herron is finished.

6 ALJ: Okay. Raise your right hand for me, please.
7 Thereupon,

8 MARK HERRON
9 after having been first duly sworn, testified as follows,

10 ALJ: Go ahead.

11 DIRECT EXAMINATION

12 BY MR. REGENSDORF:

13 Q. Will you state your name, please, sir.

14 A. Mark Herron.

15 Q. Where is your professional address?

16 A. 2618 Centennial Place, Tallahassee, Florida 32308.

17 Q. What happens at that address? What business is
18 located there?

19 A. It's the law firm of Messer, Caparello. I'm a
20 shareholder in that firm and I practice law.

21 Q. How long have you been with that firm?

22 A. 2002 approximately.

23 Q. When did you graduate from law school? Where did
24 you go to law school?

25 A. Florida State University. Graduated in 1975.

1 Q. Can you give the court the benefit of your areas of
2 practice, areas of specialty and how you come to be a lawyer
3 as of February 2014?

4 A. I don't want to get the Florida Bar mad at me so I'm
5 not going to say specialty. All I do is primarily practice in
6 the area of ethics and elections. I do a little bit of
7 lobbying, but as a general rule I represent public officials
8 who are charged with violations of the ethics code or try to
9 advise corporations to keep out of trouble or lobbyists to
10 keep out of trouble under the ethics laws. With respect to
11 election laws I represent candidates and political parties,
12 political committees, election and communication
13 organizations. I represent clients before the Florida
14 Elections Commission as well.

15 Q. Do you represent both complainants or petitioners
16 and respondents before those bodies?

17 A. I have. I have.

18 Q. Have you had any particular experience in the
19 preparation of or drafting of any of the legislation that's
20 currently on the books in the State of Florida?

21 A. I have.

22 Q. Tell the court briefly about that.

23 A. Well, for ten years I worked in the legislature with
24 the - started with the Criminal Justice Committee. Worked
25 with the Commerce Committee as the staff director. Worked as

1 general counsel for the house or acting general counsel of the
2 house under floor speakers. I was staff director of the
3 reapportionment committees in the 1980's and I was chief of
4 staff when speaker Moffitt was speaker.

5 Q. Did those duties, any of those duties bring you into
6 professional contact with Chapter 106?

7 A. It did. When I was chief of staff as well as
8 general counsel we worked on legislation dealing with the
9 Florida Election Code.

10 Q. Again I don't want to get you in trouble with the
11 Florida Bar. There is no board certification in the field of
12 election or ethics specialties?

13 A. Not that I know of.

14 Q. Did you, sir, at my request review the pleadings in
15 this case and my billing time records for the purposes of
16 considering the issues concerning reasonable fees?

17 A. I did. I reviewed the materials you sent to me as
18 well as I went on the Florida Elections Commission website and
19 looked at the materials that were associated with the agenda
20 item that was taken up by the commission in November of 2013
21 which I believe was your request for attorney's fees. That
22 agenda item packet, I think, was over 200 pages long and had
23 the pleadings, the letters with respect to this matter. I
24 have also gone on the Division of Administrative Hearings
25 website and looked at the docket for this proceeding as

1 well.

2 Q. The court has not had the benefit and joy of
3 listening to me testify yet about my practice, but have you -
4 do you have any familiarity whatsoever with respect to me as a
5 lawyer?

6 A. Back in another lifetime, in another century, we
7 were both in Akerman Senterfitt when I was part of that firm.
8 I know of your work since that time in terms of representing
9 or being chairman of various bar committees that have brought
10 significant changes to our practice of law with respect to
11 electronic filing, but other than that I don't know exactly
12 what you do on a day-to-day basis.

13 Q. As little as possible. As a result of your
14 professional experience and familiarity with materials --
15 First of all, have you been able to form an opinion as to
16 either a fee, a load star, hours, rates that would be
17 reasonable for the time spent in representing Ms. Yeago in the
18 defense and in the prosecution which continues through this
19 hearing?

20 A. I have.

21 Q. Can you give the court -- I don't want to belabor
22 the court with testimony that she may not need -- but can you
23 give the court some idea of the issues that an attorney
24 reviews in coming to the conclusion as to reasonable hours
25 and/or reasonable rates and a load star?

1 A. Well, in terms of -- Let me back up here a little
2 bit here. I have reviewed your billing statements as well so
3 I didn't answer that specifically in the prior question. But
4 in terms of this I am pretty familiar with the rates that are
5 charged by attorneys who practice before the Florida Elections
6 Commission including my own rates. I'm also familiar with
7 rates that attorneys who may not be day to day practitioners
8 who practice in front of the Florida Elections Commission or
9 the Florida Ethics Commission charge and the rates that
10 governmental entities may choose to reimburse them at. It may
11 not be their hourly rate that they charges in their firm. So
12 I'm generally familiar with that.

13 With respect to the issue of a load star, I don't
14 think a load star is appropriate in these types of
15 proceedings. These are generally done not on a contingency
16 basis. They are generally done on an hourly basis that either
17 the public official carries the weight of the burden or
18 insurance coverage for some reason if they are a public
19 official covered by insurance and/or the government entities
20 will set the rates in the ordinances that allow them or the
21 resolutions that authorize counsel.

22 Q. When I said load star, I wasn't talking about a
23 multiplier of a load star, but I think that was what you were
24 talking about. But the load star is the calculation of the
25 reasonable hours spent times a reasonable rate for those

1 hours. Have you had an opportunity based on your experience
2 and your review of the materials and the billing records to
3 come to a conclusion either as to a precise number or a range
4 of hours that you feel is an appropriate and reasonable basis
5 for hourly - for the hours spent in the defense and
6 prosecution of this through the conclusion of the hearing
7 today?

8 A. Well, let me tell you what I have looked at here and
9 that might help answer your question a little better. The
10 billing statement that I looked at has time entries from
11 approximately April 3rd of 2013 or I should say April 16, 2013
12 through January 8th of 2014 so obviously these are incomplete
13 billing records as far as I know.

14 As I review them I see them kind of divided into
15 three components. One is the component of the initial defense
16 of the complaint that was filed against your client and with
17 respect to that issue the Florida Elections Commission
18 provides what I say is a unique opportunity for defense early
19 on with in terms of responding to and having the opportunity
20 to respond to the question of whether the complaint is legally
21 insufficient. Most agencies you don't get that shot. And as
22 a result it gives people who are charged with election law
23 violations two cracks at the apple to walk out without a
24 finding of probable cause. The first is the legal sufficiency
25 and then the second is the probable cause determination if the

1 complaint is determined legally sufficient. So that's the
2 first component of the bill I looked at.

3 The second component of the bill I looked at was the
4 preparation of the attorney's fee petition and again once the
5 commission determined there was no - the complaint was not
6 legally sufficient, it appears that here you shifted into the
7 determination of we are going to file a petition for
8 attorney's fees. So that's the second component of this
9 billing statement.

10 And the third component of the billing statement is
11 after the commission in November said you're entitled to seek
12 attorney's fees and have a hearing in from of DOAH, that's the
13 third component of these billing statements and that's the
14 component that's incomplete and those numbers would run
15 through today or tomorrow or the preparation of a proposed
16 recommended order.

17 So to answer your question, I have looked at them in
18 those three components. I did notice a couple of things but,
19 you know, let's get to the hourly rate. Let's deal with that.

20 Q. Before we do that just as an aside by coincidence
21 were you present on November 13th when this matter was heard
22 by the Florida Elections Commission?

23 A. I saw you on that date. I don't recall if I was in
24 the room.

25 Q. Well, then I'm not going to ask the next question.

1 A. I really don't because I think I left because it was
2 one of those long days.

3 Q. Okay. The document reflects and the contract
4 reflected a billing rate at the time of \$505 with my firm in
5 Jacksonville. Do you have an opinion as to what you feel a
6 reasonable rate is for a lawyer of my experience, credentials
7 and at least so far success in a case both defending and
8 prosecuting this matter?

9 A. I think a reasonable rate is more in line of between
10 350 and 450 an hour.

11 Q. And what's the basis for that?

12 A. I go back to use the very - I use as kind of the
13 guide post in making that analysis is the experience of Barry
14 Richard when he defended O'Meara Marks in Tallahassee. He was
15 billing O'Meara Marks at a rate of - the Greenberg rate of
16 \$750 an hour even though his appropriate rate is also quoted
17 at \$935 an hour. So he was giving a discounted rate of \$750.
18 That came before the city commission and the city of
19 Tallahassee. They weren't going to pay that rate. They paid
20 about 450 an hour for Barry Richard and the mayor had to
21 absorb the rest.

22 In your case your rate is on this bill the retainer
23 letter says it's 505. There are some rates in this bill at
24 520, 505. There are two rates that are attached to this
25 billing statement that I reviewed and so applying the Barry

1 Richard rule I thought that the appropriate rate would be
2 approximately between 350 and 450 an hour.

3 Q. So I'm only roughly half the man that Barry Richard
4 is? Am I hearing your testimony correctly, sir? Note my
5 offense. I'm only kidding. That was a joke. All right.

6 Going to the other component of the calculation of
7 the load star of the hours spent at whatever the reasonable
8 rate is, have you formed an opinion based upon a reasonable
9 degree of legal satisfaction and comfort as to what the hours
10 reasonably spent on parts one, two and three whether they are
11 separated or --

12 A. I tried to review these and in all honesty we
13 haven't had an opportunity for me to question you about some
14 of these things, but in the first component I noticed it was
15 about 32.8 hours between the time of the initial defense of
16 the complaint and the letter, the second letter from the
17 Elections Commission with respect to the fact that there had
18 been no additional information supplied and I think that
19 letter came June 28th, 2013 so about 32.8 hours there.

20 With respect to that I felt the hours were
21 relatively reasonable. I only had one or two questions about
22 a couple of the matters, but in terms of the time entries with
23 respect to the materials I reviewed I thought the time was
24 appropriate, and I'll tell you why I thought it was
25 appropriate. It was appropriate because I thought that the

1 documents that you submitted in response on the legal
2 sufficiency issue were very, very comprehensive. They were
3 very impressive to tell you the truth and because that was
4 your shot to knock it out and knock it out for good and it was
5 like you did the whole trial or the whole hearing.

6 Q. So the hours on what you call part one of the
7 process was in your opinion a reasonable hours was what number
8 of hours?

9 A. As I say, I think it was 32.8.

10 Q. Okay. If it's appropriate to do this on the second
11 phase which was the getting ready for the attorney's fees, I
12 don't know where it broke off, whether it was before or after
13 the November 13th hearing, did you have an opinion as to what
14 the reasonable hours were from the end of phase one until the
15 end of phase two?

16 A. I didn't have an opportunity to come to a complete
17 conclusion on that because I had some questions with respect
18 to some of the issues, some of the time entries.

19 Q. Tell me which questions you had and we can --

20 A. Well, there was some issues about the rescheduling
21 of the hearing. I thought that that might be issues that were
22 more - I don't know whose convenience it was for, whether it
23 was for the plaintiffs or the respondent or the
24 complainants.

25 Q. The first rescheduling was clearly mine. Let me

1 clarify that. I was going to be out of town. I forget. Out
2 of the country. No. I was out of town.

3 A. So I would have, since they were for your
4 convenience I would have probably knocked those off, okay?
5 With respect to the issue of, there was some questions in here
6 about review time entries for bill and e-mails with client RE
7 mediation. I didn't understand how mediation fit into this
8 proceeding because I didn't see any mediations on the docket.
9 I didn't know if that was related to this case or not.

10 Q. Let me ask you to do this then because you're right.
11 It's not in the record and I'll talk about it later, but just
12 carve out and put into a separate number the composite time
13 globally related to the mediation efforts. We're not going to
14 put a claim in for that or not, it's really separate from this
15 proceeding.

16 A. Well, you had -- Let me just go on.

17 Q. Okay.

18 A. The other thing is as somebody who practices in this
19 area and I know that every lawyer's relationship with their
20 client is different and separate, I come from the school that
21 we don't necessarily bill for travel and have clients that
22 kind of expect that so I was - I would discount the travel in
23 my way of looking at things. But okay.

24 Q. Taking those three items and just setting them
25 aside, let's just make it real simple, that's the whole issue

1 of rescheduling, that's my rescheduling, the whole issue of
2 what is sort of a mediation effort, if you want to call it
3 that, and the third is travel, eliminating all those from the
4 calculation --

5 A. With the other two components the billing statement
6 shows 78.10 hours and I hadn't had the opportunity to break
7 them down separately because of the questions I had, but
8 backing those things out I would probably back out six or
9 seven hours of time.

10 Q. Call it 70 hours?

11 A. Yeah. 70 hours. And again that's the attorney's
12 fee petition. I notice that again this was a very
13 comprehensive approach to the attorney's fee thing. They are
14 very difficult to get these commissions either Ethics or
15 Elections to do these attorney's fees petitions. They don't
16 like to do them. They don't like to grant them, and you have
17 to make your case there because that's the only shot you
18 got.

19 Q. Okay.

20 A. So again looking at the two you say 32.8 plus 70 at
21 between 350 and \$450 an hour.

22 MR. REGENSDORF: Okay.

23 ALJ: Anything further?

24 MR. REGENSDORF: I have no further questions.

25 ALJ: Mr. Little.

1 CROSS EXAMINATION

2 BY MR. LITTLE:

3 Q. Mr. Herron, I'm Joe Little. I represent Mr. Barnas.
4 Are you familiar with the rate of pay of lawyers in High
5 Springs, Florida?

6 A. I'm not.

7 Q. Are you familiar with the rate of pay of lawyers in
8 Gainesville, Florida?

9 A. I am not.

10 Q. So do you have any reason to believe that there
11 would not be capable counsel to represent this matter in
12 Gainesville, Florida?

13 A. I only hesitate because I specialize in this area
14 and consult with a lot of people trying to bring them up to
15 speed, but I'm confident that a lawyer could be brought up to
16 speed on these issues and you could find competent counsel in
17 Gainesville to handle these types of matters, yes, sir.

18 Q. Did you - you say this matter. What was in your
19 opinion particularly difficult or complex about this matter?

20 A. Well, again it's the effort to try to get the
21 commission to dismiss the case at the legal sufficiency stage.
22 Legal sufficiency as I'm sure most of us in the room are aware
23 is a very low threshold. Does the complaint allege facts
24 which if true indicate a possible, a possible violation of the
25 law and that is an issue here that I believe from my reading

1 of the complaint, the complaint was trying to say that there
2 was some type of expressed advocacy here in these pieces or
3 the actions of the committee and the respondent and the
4 respondent was saying there is no advocacy here so that's
5 always over the years has been a tricky issue with the
6 Elections Commission in terms of what they will determine to
7 be legally sufficient or insufficient.

8 MR. LITTLE: May I have the exhibit that is the
9 response to the complaint?

10 MR. REGENSDORF: I think it's 2. Let me see if I
11 have an extra copy because the Judge would like to have
12 one.

13 MR. LITTLE: Okay.

14 MR. REGENSDORF: I think I do. Do you want the
15 witness to have it, Joe?

16 MR. LITTLE: Sure.

17 MR. REGENSDORF: Whatever you want. I don't know.

18 MR. LITTLE: I would like to have it, too.

19 MR. REGENSDORF: Unfortunately -- I gave you one on
20 Friday. I can't give you one everyday.

21 BY THE WITNESS:

22 A. I can bring one up electronically if you need me
23 to.

24 MR. REGENSDORF: I'll make you one. Would that work
25 better, Joe?

1 MR. LITTLE: No. You're gonna give him one, right?

2 BY THE WITNESS:

3 A. I have got one in front of me.

4 MR. REGENSDORF: He's got one.

5 BY MR. LITTLE:

6 Q. Have you got the response of respondent Yeago?

7 A. It says response of respondent Sharon Yeago to the
8 complaint in FEC case number 13-25.

9 Q. If you look at the first page there, there's nothing
10 there that requires anything special, is there, just the
11 statement?

12 A. Well, other than the skill of the lawyer writing
13 it.

14 Q. Yeah, well, you don't see anything particular
15 skillful there, do you?

16 A. Well, the answer to that question, you know, putting
17 together the argument does involve skill. Making it concise,
18 making it flow, making it easily readable does require skill.
19 But yeah, I mean, is it rocket science? No.

20 Q. I'm not talking about as a general matter going to
21 law school. I'm just talking about this, there's nothing
22 special here, is there? If you turn over to page 2, there is
23 simply a statement that the complaint is legally insufficient
24 on its face under the heading of 2, is it not?

25 A. Mm-hmm. Mm-hmm.

1 Q. And then on page 3 there's a heading expressly
2 advocating. All this is doing is telling us it's got to be an
3 expenditure of more than \$500, isn't it?

4 A. Well, as I say, I think it's putting forth elements.
5 It's setting forth his argument, yes.

6 Q. Well, but it's just parroting the statute, isn't
7 it?

8 A. I don't know if it's parroting the statute. It's
9 citing the statute. It's putting forth an argument that the
10 elements here of the allegations in the complaint aren't
11 present here and it may be legally insufficient.

12 Q. Okay. And that's making a statement. And if you
13 look at the next page, we have here simply a statement that
14 the complaint shows on its face that it's not legally
15 sufficient. Conclusion more or less; is that correct?

16 A. That's the argument that's being made, yes, sir.

17 Q. Yeah. And what I'm looking for, I'm not suggesting
18 that it doesn't take some time to sit down and put these
19 pieces together, but there's no particular lawyering that's
20 being done here, no particular argument from cases. I don't
21 think there's a case cited anywhere, is there? It's all in
22 the statute.

23 A. I don't believe there's a case cited either, but
24 that's not to say it's not lawyering.

25 Q. Okay. All right. Turn over to page 13, item 4, in

1 bold, the actions were deliberate, malicious, without basis in
2 law or fact, contrary to commission rules, and if you look at
3 what follows that, there's no reference to any evidence to
4 support that, is there?

5 A. Well, again I believe that previously this was as
6 it's indicated in the document that the document was also
7 attempting to show the commission that there was - this was
8 filed in violation of the - they wanted to go after attorney's
9 fees and that's what it says in the first part and this is the
10 follow up to that as I read it.

11 Q. Okay. But what my point is is that there's no
12 reference to any evidence establishing or showing any malice
13 on the part of Mr. Barnas?

14 A. But that is the point of this hearing as I
15 understand it.

16 Q. I understand that.

17 A. Yeah.

18 Q. I'm just trying to find out why it was necessary to
19 expend any great amount of time in preparing this memorandum
20 at the time it was prepared which was in response to the
21 petition?

22 A. Again I viewed it as a very well done petition. It
23 set up the case. I don't think there's anything harmful in
24 that.

25 Q. All right. So you think the number of hours that

1 were recorded for this particular document were not
2 unreasonable?

3 A. I don't, and again there is an additional set of
4 affidavits and exhibits that were attached as part of the
5 hours that were expended in gathering this and putting this
6 thing together.

7 Q. They're all pretty simple affidavits, aren't they?

8 A. Again affidavits are generally not that difficult
9 once you sit down and get the facts correctly from the
10 witnesses.

11 Q. Let me ask you this: How much time have you spent
12 in your examination of the records?

13 A. I would say less than two hours.

14 Q. Okay. And are you being paid for your testimony?

15 A. Mr. Regensdorf said that he would pay me, yes.

16 Q. Okay. What rate are you being paid?

17 A. I bill my time out at \$300 an hour.

18 Q. Is that for the work you do in Tallahassee?

19 A. Yes, sir.

20 Q. And FEC work?

21 A. Yes, sir.

22 Q. And do you deem yourself to be competent to appear
23 before FEC?

24 A. I do, but I have an issue that other people don't
25 have.

1 Q. And I guess I ought to ask you what that is?

2 A. That issue is I'm a lobbyist and as a lobbyist I
3 cannot have a different rate for different people. We're
4 public officials so I have one rate.

5 Q. I see. Have you got the time sheets there?

6 A. I do.

7 Q. Will you turn to page 3, I think?

8 A. Page 3. Yes, sir.

9 Q. You see the time spent for R. Ambrose?

10 A. Interview with R. Ambrose, RA fax and further
11 affidavit.

12 Q. Yes.

13 A. Yes.

14 Q. Do you know what Ambrose had to do with this
15 matter?

16 A. I do not.

17 Q. So you don't know whether this time is properly
18 chargeable?

19 A. I do not.

20 Q. Okay.

21 MR. REGENSDORF: What page are you on there, Joe?

22 MR. LITTLE: Page 3.

23 MR. REGENSDORF: Thank you.

24 BY MR. LITTLE:

25 Q. If you look down at the bottom of the page, e-mails

1 with B. Boukari?

2 A. Yes.

3 Q. Do you know what that was about?

4 A. I do not.

5 Q. Do you know what Boukari had to do with this
6 matter?

7 A. I do not.

8 Q. So you don't know whether that's a proper charge or
9 not, do you?

10 A. I do not.

11 Q. The next page there is another Ambrose?

12 A. Same answer.

13 Q. Same answer. If you look at the next to the last
14 item there is another Ambrose?

15 A. I agree.

16 Q. Same answer?

17 A. Same answer.

18 Q. The next page, page 5, there's a McKennon affidavit,
19 do you know what that was about?

20 A. How far down?

21 Q. Third line.

22 A. Oh, yeah. I do not know.

23 Q. You don't know what?

24 A. I don't know what the prepare and send e-mail and
25 affidavit to E. McKennon/RE Barnas is. I assume RE Barnas

1 means it relates to this case.

2 Q. But you don't know what McKennon had to say or what
3 it related to?

4 A. I do not.

5 Q. Now, I believe -- Well, are you aware of when the
6 FEC issued its no probable cause or whatever?

7 A. It's my understanding on June 10th. A letter came
8 out of June 10th, 2013. It said the complaint was legally
9 insufficient giving the complainant two weeks or 14 days to
10 amend.

11 Q. Okay. And then you considered everything after this
12 as being related to a fee petition; is that correct?

13 A. Not exactly. It appears to me that the time entry
14 that talks about on 6/12 their review complaint, the blog,
15 RB's attorney's fees and frivolous complaints and telephone
16 hearing seemed to me that Mr. Regensdorf was shifting into
17 thinking about a fee petition in terms of actually preparing
18 it although again the entry - there is an entry on the next
19 page, top of page 6 where there's an e-mail there about the
20 closing of the case which I assume is the June 28th letter
21 from the FEC.

22 Q. If you look to the next to the last entry on page 5,
23 e-mail, M. Osley, reports of Mr. Barnas' previous
24 complaints?

25 A. Yes.

1 Q. Do you know M. Osley?

2 A. I do not.

3 Q. Do you know how that relates to this matter?

4 A. My assumption was that Mr. Regensdorf was trying to
5 determine the amount of ill will that your client may have
6 against his client.

7 Q. What's the basis for that assumption?

8 A. Mr. Barnas' previous complaints.

9 Q. Did you know what those previous complaints might
10 have been?

11 A. I have no idea.

12 Q. Do you know whether they were successful or not?

13 A. I have no idea.

14 Q. Do you know whether they were filed with malice or
15 not?

16 A. I have no idea.

17 Q. You don't know whether they in any way relate to
18 whether this matter ought to prevail, do you?

19 A. I said it was -- Oh, this matter? Oh, no. I have
20 no knowledge of any malice between the parties at all. I'm
21 here as an attorney's fees expert.

22 Q. The next item or first item on the second page also
23 has to do with M. Osley complaints for possible use Bar ethics
24 election USDA. Do you know anything about those?

25 A. Again my assumption was they were researching to see

1 if there was malice between your client and Mr. Regensdorf's
2 client.

3 Q. And if that information were not relevant to that
4 issue, should it be considered in this matter?

5 A. Well, it may not be relevant -- Well, again I don't
6 know. That was my assumption. It could still be relevant.
7 That was my assumption.

8 Q. But you don't know?

9 A. I do not know.

10 Q. The item next under that is LR Chapman complaint to
11 USDA. Do you know what that's about?

12 A. I have no idea. Same assumptions.

13 Q. So you don't know what the relevance is to this
14 issue?

15 A. Correct. Same assumptions.

16 Q. How about the next item, Amanda Onkly?

17 A. Same assumption.

18 Q. What about the USDA materials, do you know what they
19 are? Did you review them?

20 A. I did not.

21 Q. So you don't know how they relate to this?

22 A. I do not. Again it's my assumption based on the
23 previous time entries that involve the USDA.

24 Q. But you don't know how in the world USDA is involved
25 in this matter?

1 A. I do not.

2 Q. Okay. The next item apparently is the closing of
3 the case and review of that would seem appropriate, would it
4 not?

5 A. Without a doubt. Again that's that letter I
6 mentioned of June 28th.

7 Q. The next item says it's not billable.

8 A. Mm-hmm.

9 Q. So I take it you excluded that?

10 A. Well, I have a yellow line on it, but I would have
11 excluded it, yes.

12 Q. Okay. Do you know about these detailed e-mails to
13 Peter Boukari, Chapman and their complaints?

14 A. I do not.

15 Q. And you don't know how they relate to this matter?

16 A. I do not.

17 Q. And the same thing with the next entry about
18 Boukari?

19 A. Correct.

20 Q. The next item, initial review of Mr. Barnas'
21 complaints and orders for comparison to Ms. Yeago's complaint,
22 do you see that?

23 A. I do.

24 Q. What assumption did you make about that?

25 A. My assumption was that Mr. Regensdorf was reviewing

1 some documents in order to prepare the petition.

2 Q. You don't know what Barnas' complaints --

3 A. No.

4 Q. You didn't assume it had to do with the complaint in
5 this case, did you?

6 A. Well, because he's already reviewed the complaint
7 and orders on that case.

8 Q. So you don't know what that was about?

9 A. I told you yeah. I assumed it was reviewing some
10 documents in order for preparing the petition for attorney's
11 fees.

12 Q. But you don't really know what it was about?

13 A. I'll say it again. I do not what it was about. I
14 just made an assumption.

15 Q. All right. Thank you. The next item having to do
16 with Travis' complaint, do you know anything about Travis'
17 complaint?

18 A. No.

19 Q. You don't know whether it has anything to do with
20 this at all?

21 A. No.

22 Q. The next item is DePeter?

23 A. Same.

24 Q. DePeter again?

25 A. Correct.

1 Q. And Chapman again. It was on the bottom of page --

2 A. Well, I have DePeter and DePeter.

3 Q. Maybe our printing is off. Is your first one on the
4 next page Chapman?

5 A. Well, that's an interesting point. No. I have a
6 missing gap there.

7 Q. Oh.

8 A. But I don't know anything about Chapman either so...

9 Q. Okay. So whatever it is?

10 A. Yeah.

11 Q. All right. The next thing seems to be research on
12 standard of proof which would seem to be appropriate, would it
13 not?

14 A. Yes.

15 Q. Now, what about the next two items, detail file,
16 review legal analysis and Mr. Barnas' review. I'm sorry. The
17 next item, the detailed e-mail with CCFBHS Steering Committee,
18 do you know what that is about?

19 A. I do not. I have assumptions, but I don't know what
20 it's about specifically.

21 Q. Okay. What?

22 A. What assumptions have I made?

23 Q. Sure.

24 A. Is that what your question was?

25 Q. Sure. I wasn't going to ask you, but go ahead.

1 A. Well, again I believe that there's some
2 communications between the steering committee and the petition
3 and they might be gathering information. I haven't seen the
4 e-mail so I don't know.

5 Q. You don't know what it was about?

6 A. No.

7 Q. You see the item down there with \$1161.50?

8 A. Yes.

9 Q. Prepare for and attend meeting of the steering
10 committee on attorney's fees?

11 A. Yes.

12 Q. Do you know why there would be such a meeting with
13 the steering committee about attorney's fees?

14 A. I can only speculate. I wouldn't know why.

15 Q. You don't know why?

16 A. No.

17 Q. You don't know whether it was necessary for preparing
18 this fee petition or not?

19 A. I do not know.

20 Q. Yeah. Did you take a detailed look for attorney's
21 fees and assess whether or not on top of everything else eight
22 and a half hours was reasonable for producing that petition?

23 A. For somebody that's not done them before it might
24 be. I have done them. I do them in less than eight hours,
25 but mine might not have been as detailed as this one was, but

1 I have done them again recognizing the reluctance of the
2 bodies to grant them, you need to throw everything in there
3 but the kitchen sink in order to get over the hump.

4 Q. Is that what it takes? Isn't it better to have a
5 concise well done complaint that speaks?

6 A. One might think so, although again my experience
7 with at least the Ethics Commission more particularly than the
8 Elections Commission is that they do not want to grant them
9 and so the last one I did was 121 pages long. This one a
10 hundred and some plus pages long, but if you do a rule of
11 procedure kind of pleading, they're going to bounce you out.
12 They want the details.

13 Q. You say it's 121 pages.

14 A. Mine was.

15 Q. I understand. So is it just adding pages, putting
16 stuff in it, is that your opinion as to what it takes to have
17 a successful petition?

18 A. No, sir, and here is one of the reasons why I
19 believe they have to do it this way. Oftentimes -- I
20 shouldn't say oftentimes. Sometimes you have the benefit of
21 the investigation in order to create the basis for your
22 petition for attorney's fees and in the course of that
23 investigation it becomes apparent that the complainant didn't
24 know what was in the complaint when it was handed to him by a
25 third party or the complainant knew that the statements were

1 false it becomes apparent. You don't have that in this case
2 when you have a petition filed after a determination of legal
3 insufficiency because there's been no investigation done and
4 so you have to in essence do your own investigation and put
5 all the information in the petition and that is what makes
6 this different. And in terms of I think maybe loading it up
7 with stuff you have to get there because you have to do your
8 own investigation. You have to put your own evidence in there
9 so that you can get over that hump. For example, in one of
10 the ones I have done in Ethics, I took their report of
11 investigation and attached it and said here it is, but you
12 don't have that benefit or that luxury in this case.

13 Q. And you didn't think that all of that stuff was in
14 the response to the complaint in this case?

15 A. It might have been and probably was a lot of it, but
16 you have to reformat it and get it there.

17 Q. If you go to page 8, Mr. Herron, and this is the top
18 of my page.

19 A. Okay.

20 Q. It says 7/10/13. Do you have that?

21 A. Yes, sir.

22 Q. This apparently this first entry had to do with
23 problems with the date and I take it that's one of the things
24 that you thought --

25 A. Yes, sir.

1 Q. -- you would want to know why. Whose problem was
2 it?

3 A. Again and yes, sir. And I put little nos next to
4 those in terms of taking those out.

5 Q. And the third one down I take it you got a no by,
6 too?

7 A. Yes, sir. The fourth one as well.

8 Q. The fourth one as well. The fifth one as well?

9 A. Yes.

10 Q. Sixth one as well?

11 A. To a certain degree and again he's looking at -- We
12 are talking about the sixth one that says research into
13 procedures?

14 Q. Yeah.

15 A. Okay. It's an issue of, you know, I don't think
16 Paul has been there before and so that might be an appropriate
17 entry in terms of whether it was November or August in an
18 attorney's fees proceeding.

19 Q. Were you aware of the fact that up until October 28
20 of 2013 that Mr. Barnas himself was not aware that Yeago had
21 filed a response to his complaint?

22 A. Why I'm hesitating is I read a document in the
23 docket here in a motion to dismiss and so I'm aware of it only
24 as a result of that filing.

25 Q. Okay. And also if that filing, if the statement in

1 there was true, Mr. Barnas had no notice until 10/28 that a
2 fee petition had been filed?

3 A. That's always an interesting point that I have taken
4 up with both ethics and elections. You're not under their
5 rules. You don't serve it on the other side. You serve it
6 with the commission and it's their duty to serve it on the
7 other side.

8 Q. Well, you don't mind if I disagree with you on
9 that?

10 A. I agree. I'm just telling you what they tell me.

11 Q. Okay. What they tell you. But they cannot tell you
12 not to follow the established rules of procedures that apply
13 to the proceeding?

14 MR. REGENSDORF: Let me object. This isn't going to
15 attorney's fees. I'm just trying to keep it on focus.

16 MR. LITTLE: Okay. Let's go back. I agree.

17 BY MR. LITTLE:

18 Q. The item having to do with multiple telephone
19 conferences with scheduling with the board meeting?

20 A. Yes. I would take that out, too.

21 Q. Okay. Go to the next page. I think the third thing
22 down has to do with mediation. Did you mention that
23 earlier?

24 A. I mentioned that I didn't - I have a question about
25 the mediation entries because I didn't see any mediation in

1 the process, okay? And so I don't know what they mean.

2 Q. All right. The next item apparently telephone
3 conference with you, is that a proper charge in these
4 proceedings in your opinion?

5 A. I don't see why not.

6 Q. Okay. The one prepare for travel to attend hearing.
7 I take it from what you said earlier that you yourself don't
8 charge for travel?

9 A. No.

10 Q. Do you know how much of this time was travel?

11 A. I'm assuming it would be two hours over, two hours
12 back at least.

13 Q. From Charleston? I'm sorry. Not Charleston.
14 Jacksonville?

15 A. Yeah. Maybe two, more than two. I mean, I drive
16 fast.

17 ALJ: You must.

18 BY THE WITNESS:

19 A. It's 167 miles so I drive fast so give him two and a
20 half.

21 BY MR. LITTLE:

22 Q. You would have to give him three. You've got to
23 keep him under the speed limit.

24 MR. REGENSDORF: That assumes I started from
25 Jacksonville also, Joe, but that's okay. And I apologize

1 that I haven't given a little factual testimony first
2 which might have answered some of these questions, but
3 that's okay.

4 BY MR. LITTLE:

5 Q. Okay. If you look on page 10, there is an item
6 e-mail and conference with Jay Mansfield, re: RFP's and
7 computer cases and social media. Do you have any idea what
8 that is?

9 A. I have a question, but I assume that RFP's was
10 request for productions and I notice that on previous entries
11 there was some review of blog entries relating to what I
12 assume some things were so again I had a box around it, but
13 when I figured out what RFP's meant, I thought it was maybe an
14 appropriate entry.

15 MR. LITTLE: May I speak with my client just
16 briefly?

17 ALJ: Yes, sir.

18 MR. LITTLE: Okay.

19 ALJ: We'll take a five minute break.

20 (Short recess.)

21 ALJ: Back on the record.

22 MR. LITTLE: Your Honor, we have no further
23 questions of this witness.

24 REDIRECT EXAMINATION

25 BY MR. REGENSDORF:

1 Q. Mr. Herron, I just have two quick topics. You made
2 an interesting observation about the Florida Elections
3 Commission. On a case like this with respect to attorney's
4 fees does a person seeking fees get any assistance from FEC
5 staff by way of report, analysis, investigation, anything of
6 that sort?

7 A. Not in the procedural posture that this case is in
8 because of the legal sufficiency determination.

9 Q. Okay. Secondly, you were asked about allegations in
10 the response. I'm talking about the response to the original
11 petition, not anything that came in with respect to petition
12 for attorney's fees, but the complaint petition is filed with
13 respect to election law violation and in our response and
14 there was some discussion about you wouldn't see allegations
15 of malice or actual malice. Would you ever expect to see
16 legal analysis of actual malice in a case such as this?

17 A. I'm not sure I understand the question. At what
18 point in time?

19 Q. Let's start off with at the defense of the claim, at
20 the defense of the election law violation, the original
21 petition by the complainant petitioner Mr. Barnas?

22 A. It's required to do that at that point in time,
23 no.

24 Q. The issue of is it malice or is it actual malice
25 when you get to the attorney's fees part?

1 MR. LITTLE: Object to the question.

2 ALJ: Why is it relevant?

3 MR. REGENSDORF: Well, the question --

4 ALJ: Trying to show the complexity of the issue?

5 MR. REGENSDORF: Well, whether there is an issue.

6 Whether actual malice is an issue that you need to brief
7 and plead.

8 MR. LITTLE: Your Honor, this witness was not called
9 as an expert on the law.

10 MR. REGENSDORF: I didn't raise the issue.
11 Respectfully, Mr. Little, you raised the issue of whether
12 there should be issues of malice in a pleading and I was
13 trying to draw a distinction between malice the word
14 that's in the statute and --

15 ALJ: Overruled. Go ahead if you understand the
16 question.

17 MR. REGENSDORF: -- and actual malice.

18 BY THE WITNESS:

19 A. Repeat the question because I got lost in the
20 discussion.

21 BY MR. REGENSDORF:

22 Q. Okay. I'm sorry. On the fees side of the case, the
23 fees petition, would you expect to see any different
24 discussion of the concept of malice --

25 A. Yes.

1 Q. -- or malicious versus actual malice?

2 A. With respect to the attorney's fees petition you
3 have to include that element as part of your pleading.

4 MR. REGENSDORF: All right. Thank you.

5 ALJ: Anything further?

6 MR. LITTLE: No.

7 ALJ: Thank you, sir.

8 THE WITNESS: Thank you. Appreciate it.

9 MR. REGENSDORF: How do you want to proceed, Your
10 Honor. Your call.

11 ALJ: What time is it?

12 MR. REGENSDORF: 12:20.

13 ALJ: Anybody going to pass out or should we press
14 on? Off the record.

15 (Discussion off the record.)

16 ALJ: Back on the record.

17 MR. REGENSDORF: Continuing with Mr. Barnas.

18 DIRECT EXAMINATION CONTINUED

19 BY MR. REGENSDORF:

20 Q. Okay. Mr. Barnas, let's pick up or try to pick up
21 where we were before. We were looking at an article that you
22 put into your complaint as pages 17 and 18. I think I asked
23 you some questions about it beforehand. Let me ask you this:
24 Does the word ordinance or borrowing limitation, charter
25 amendment, any of those words even appear in this article,

1 this two page article? That's the one right there.

2 A. The only thing that it did say was that we are a non
3 political, non partisan organization. The group has already
4 created mission statements and guiding principles which are
5 listed on the organization's Facebook. It refers to those
6 things which I have --

7 Q. Okay. And I promise you, Mr. Barnas, we are going
8 to go over those line by line.

9 A. So my answer is it's all part of the package.

10 Q. Now, see if you can answer this question, and we'll
11 try and make it real simple. Does the word ordinance or the
12 words charter amendment or anything specifically referring to
13 that election appear in this article at all?

14 A. No.

15 Q. Okay. Does the name Byran Williams appear anywhere
16 in this article?

17 A. No.

18 Q. Does his opponent appear by name in this article?

19 A. No.

20 Q. Is there any reference in this article to this
21 organization Concerned Citizens For A Better High Springs
22 saying we are going to endorse a candidate in this election?
23 Is there anything like that in this article?

24 A. Not in this article.

25 Q. How about in the preceding article on page 16? I

1 didn't ask you about Byran Williams. Is there any reference
2 to Byran Williams in that article?

3 A. Not other than generic talking about improving the
4 well-being of the city.

5 Q. Okay. Do you have any idea why an organization
6 which was formed for a specific purpose would not want to get
7 that specific purpose out into the media when they put their
8 first public discussion of it out on the streets? Do you know
9 any reason why?

10 A. I have opinions.

11 Q. Well, let's listen to your opinions. Why would they
12 not put the specific purpose for which they were created in
13 there?

14 A. They worked on the fringe of the ordinance. The
15 statutes possibly. They put a disclaimer in that they
16 weren't, but yet they also said they were looking for support.
17 They were looking for people. They were on the fringe. Why
18 would - and the first thing I said is why would they even put
19 a disclaimer in? They knew what they were doing.

20 Q. Anything else? Any other reason you can think of
21 why a group formed for that purpose wouldn't nibble more
22 closely at the fringe than that?

23 A. No.

24 Q. Okay. Now, you are aware, are you not, that to be a
25 political committee you not only have to discuss matters of

1 public interest or politics, you have to expressly advocate
2 for a candidate or an issue, correct? You're aware of that?

3 A. That was the term in the statute.

4 Q. Right. And on the bottom of page 3 of your now
5 narrative letter that follows the typewritten form, you
6 actually quoted and know that it requires that it be expressly
7 advocated?

8 A. Where are we going?

9 Q. I'm sorry. Page 3, sir.

10 A. Go back to the beginning?

11 Q. Not quite. Page 3 which is page 3 of your letter
12 which follows the typewritten form.

13 A. Paragraph?

14 Q. Very bottom of the page. It's the page that starts
15 the letter. It's to the Elections Commission. Dear FEC. You
16 may be one page too far, Mr. Barnas. Looks like you're one
17 page too far.

18 MR. LITTLE: This page. Yeah. That page.

19 BY MR. REGENSDORF:

20 Q. There we go. So what I'm trying to get at is at the
21 bottom of the page you were aware that the standard is very
22 clearly stated as you must expressly advocate, correct?

23 A. Yes.

24 Q. In fact, in the first paragraph of that letter you
25 state and tell them your opinion that the law is clear and has

1 been written to deal with both types of cities and then you
2 suggest they look at FEC case 06-129, correct?

3 A. Correct.

4 Q. Let me see if I can find a copy of it. Let me hand
5 you a copy of what appears to be, but I'll let you decide,
6 Florida Election Commission Formal Opinion Number DOSFEC06-129
7 and see if you recognize that as the opinion that you wanted
8 to draw the FEC's attention to?

9 A. I think in the deposition the other day I said while
10 the number is correct, this isn't what I recall looking at to
11 form my opinion.

12 Q. Okay. So that you acknowledge that is a opinion of
13 the SFEC dated 06-129, right?

14 A. It's an order of the FEC.

15 Q. You will acknowledge that that is, in fact, an
16 opinion or order, consent order with respect to functioning as
17 a political committee similar to your allegation against Ms.
18 Yeago, correct?

19 MR. REGENSDORF: We'll go ahead and mark that.

20 BY THE WITNESS:

21 A. Is that an exhibit?

22 BY MR. REGENSDORF:

23 Q. It hadn't been. Actually there is a question
24 pending. You will agree that this opinion or consent order
25 deals with the question of an organization advocating for some

1 person or issue in an election and not properly complying with
2 the election code, are you not, sir?

3 A. Without understanding the whole document and what
4 the consent order was, I'm going to say I can't give you a
5 positive or a negative answer.

6 MR. REGENSDORF: All right. Let's go ahead and mark
7 that so we know what we are talking about.

8 ALJ: That's 16 for identification.

9 MR. LITTLE: I'll object to that.

10 ALJ: All right.

11 MR. REGENSDORF: Well, I'm going to offer --

12 ALJ: Yeago exhibit 16 for identification.

13 BY THE WITNESS:

14 A. What was the number on that?

15 BY MR. REGENSDORF:

16 Q. 06-129. Did anyone assist you in the drafting and
17 the preparation of your complaint, Mr. Barnas?

18 A. No.

19 Q. You did it all yourself, correct?

20 A. Correct.

21 Q. You performed the legal research. You looked up the
22 statutes online. You found the Florida Elections Commission
23 website. You looked at their data bank of previous opinions
24 all by yourself, correct?

25 A. That's correct.

1 Q. And in doing that you wanted to find one of the
2 opinions that was clear about the very thing you were talking
3 about which was a political committee which had not properly
4 complied with the elections law after it expressly advocated
5 for or against somebody. That's why you put that sentence in
6 your very first paragraph, correct?

7 A. That would be correct.

8 Q. Okay. The document which I suggest is your case
9 06-129 contains a statement of exactly what that political
10 committee did and that political committee put an
11 advertisement out that contained the statement, "Vote for
12 amendment five." That's why you selected this consent order
13 because it was the type of case precisely that you were
14 complaining against Ms. Yeago about, correct?

15 A. Correct.

16 Q. You don't have a copy of this anywhere in your
17 files, do you, sir?

18 A. No.

19 Q. Why not?

20 A. Didn't print it.

21 Q. You just read it, understood it, put it in your
22 complaint as being a clear statement of the law, correct?

23 A. Correct.

24 MR. REGENSDORF: I would offer that in evidence,
25 Your Honor.

1 ALJ: Any objection?

2 MR. LITTLE: No objection.

3 ALJ: It's an official record.

4 MR. REGENSDORF: For the record, I'm offering it,
5 sure, it's an official record. I'm offering it because
6 it's the one that Mr. Barnas respectfully selected as
7 being a clear statement of the law.

8 ALJ: I've marked it.

9 MR. LITTLE: I'm not sure he testified to that. He
10 can argue that.

11 ALJ: I know what he testified to.

12 MR. LITTLE: Yes, ma'am.

13 ALJ: Go ahead.

14 BY MR. REGENSDORF:

15 Q. Mr. Barnas, let's go back to the first narrative
16 page of your letter, page 3. It's number page 3 in the FEC
17 numbering just so everyone knows what we're talking about.
18 The Bates numbers are sequential at the bottom. It's hard to
19 read, that's all. Right in the middle of the page you state,
20 am I correct, this complaint is a complaint against a
21 group/committee, now a quote again "that was organized to
22 oppose a specific issue." That was your words, correct?

23 A. Correct.

24 Q. And that issue that you think they were specifically
25 formed to oppose was the ordinance that you had gotten passed

1 in July of 2012, correct?

2 A. Correct.

3 Q. And then if you go down to the second last paragraph
4 on that page, you say "the complaint is that a group of many
5 individuals formed an organization/PC" meaning, I assume,
6 political committee, "to defeat the ballot issue." Again so
7 you're stating for now the third time under oath that you feel
8 that's why this organization was formed, correct?

9 A. Correct.

10 Q. And then continuing with that sentence, "and also
11 support and support the election of Byran Williams and Scott
12 Jamison" end of quote. So you feel that it was really set up
13 also to specifically endorse two candidates in this election,
14 correct?

15 A. Correct.

16 Q. All right. Let's turn a little deeper into your
17 attachments and go to -- Maybe it's not in here. Mr. Barnas,
18 do you have a copy of Ms. Yeago's response there?

19 A. I don't believe so.

20 Q. You had it. I think you may have had it at one
21 point. I don't want to take the judge's copy. Here, I have
22 one more. Let me give you this one. I'm going to ask you to
23 turn about halfway through the document which has been marked
24 here. I'm asking you to look for a page that looks just like
25 that, okay? It will have an exhibit A sticker Xeroxed on

1 there on the copy that you're looking for, sir.

2 A. (Indicating.)

3 Q. Bingo, bango, bongo. Okay. You recognize this, do
4 you not, as one of the statements, one of the public documents
5 prepared by Concerned Citizens For A Better High Springs and
6 published, correct?

7 A. Correct.

8 Q. Let's go through it closely. The first thing is a
9 mission statement. Would you agree that in an organization
10 that's sort of a broad general statement about the reason why
11 this organization exists?

12 A. A broad general statement and a title.

13 Q. Okay. Is there anything in the mission statement
14 that suggests that this organization was formed either to
15 expressly advocate for or against your ordinance or for or
16 against any candidate in that election?

17 A. We are on a different page?

18 Q. I'm on the top four lines under the words mission
19 statement --

20 A. No. No.

21 Q. -- and three lines?

22 A. No.

23 Q. It says, "Concerned Citizens For A Better High
24 Springs supports a local government with a commission of
25 professional management will provide leadership,

1 accountability and a vision for our future", correct?

2 A. Correct.

3 Q. Okay. Below that they publish the four what they
4 call guiding principles, correct?

5 A. That's what it says.

6 Q. And there are four of them, correct?

7 A. Correct.

8 Q. I'm not trying to belabor the obvious, but the word
9 principle there is p-l-e meaning guiding rules or raison
10 d'etre of this organization, correct?

11 A. In French I guess so.

12 Q. Now, looking at the four published guiding
13 principles, do any of those principles state that they're
14 going to work toward establishing opposition to your ordinance
15 or acting in favor of your ordinance, anything in those
16 guiding principles?

17 A. I think principle two.

18 Q. What is the about principle two that in your opinion
19 suggests that's why this organization was formed?

20 A. Once again talking about restoring comprehensive
21 budgetary process and addressing short and long term core
22 needs of the city and its fiscal responsibility which is
23 exactly is what the ordinance was to eliminate future debt of
24 the city.

25 Q. So that sounds like they ought to be on your side;

1 is that right?

2 A. They could be if they liked to shoulder along.

3 Q. As you read principle two is that what it speaks to
4 you about, that this is now speaking specifically to oppose
5 your debt limitation ordinance? Is that what you read when
6 you see that?

7 A. Yes..

8 Q. Okay. How about principles three or four, do either
9 of those address any issue specifically about the forming of
10 this organization to oppose your ordinance?

11 A. Not the ordinance.

12 Q. You will agree that in the summer of 2012 the city
13 was in some financial hard times, would you not?

14 A. Absolutely..

15 Q. Staff was taking six percent pay cuts those few that
16 were still hanging around, correct?

17 A. That I don't recall.

18 Q. You don't recall them taking a large --

19 A. I don't recall the exact percentage.

20 Q. Okay. It was a significant pay cut and it had been
21 significantly thinned by departures by staff, correct? Summer
22 of 2012..

23 A. Repeat the question.

24 Q. Sure. In the summer of 2012 the staff was reduced
25 in size substantially and those who remained were required to

1 take a, well, I'm going to say a six and a quarter pay cut,
2 correct?

3 A. We reduced the staff substantially.

4 Q. Okay. How many do you think you reduced during the
5 summer of 2012?

6 A. To be honest, that wasn't my job and that was the
7 job of the city manager and I don't even recall how many staff
8 were reduced.

9 Q. Principle three speaks to a commitment to restore
10 civility and fairness to the manner in which city government
11 is conducted. To me that says at least this group didn't feel
12 there was appropriate civility and fairness in city government
13 and they wanted to restore it. Is that how you read that as
14 well?

15 A. Absolutely.

16 Q. Did you feel that was in any way addressed to you in
17 your conduct as a city commissioner and vice mayor at that
18 time?

19 A. No. It's been an ongoing thing, ongoing.

20 Q. So you don't think that was in any way an attack on
21 you though?

22 A. No.

23 Q. Okay. Let's go to the next page.

24 MR. LITTLE: Before we do that, may I inquire as to
25 whether this is a complete copy of this document that it

1 purports to be?

2 MR. REGENSDORF: It is a complete copy of that page.

3 MR. LITTLE: Was there another page?

4 MR. REGENSDORF: Well, the next two pages and I
5 would have to talk to my client to see whether they were
6 --

7 MR. LITTLE: The reason I ask you is that every one
8 I have seen except this one, I think, has something in
9 the nature of a disclaimer at the bottom and it looks
10 like it may have been there and cut off. I wonder.

11 BY THE WITNESS:

12 A. I think it's on their page.

13 MR. REGENSDORF: I don't believe so.

14 MR. LITTLE: Okay.

15 MR. REGENSDORF: This is why I think this is a three
16 page document.

17 MR. LITTLE: You think it's a three page document.

18 MR. REGENSDORF: I think so.

19 MR. LITTLE: Okay. I accept that.

20 MR. REGENSDORF: But I don't know.

21 MR. LITTLE: Your Honor, may I inquire further?

22 ALJ: Yeah.

23 MR. REGENSDORF: Sure.

24 MR. LITTLE: So you think that --

25 ALJ: You're directing this to him?

1 MR. LITTLE: Yes, Your Honor. I'm just trying to
2 understand this. Three pages make up the document; is
3 that correct?

4 MR. REGENSDORF: I think that's my best
5 recollection.

6 MR. LITTLE: Thank you.

7 MR. REGENSDORF: Sure. I think you will find that
8 document in existence without the detailed bullet points
9 that were created later. But I think this particular one
10 is the one that breaks it out, okay?

11 MR. LITTLE: And the disclaimer I was looking for is
12 on the third page.

13 MR. REGENSDORF: I believe that's correct. Well, I
14 don't know. I don't know. I can't say that because I
15 don't know what you were looking for.

16 MR. LITTLE: Okay.

17 MR. REGENSDORF: If you want to talk about a
18 disclaimer, there is a statement at the end of this three
19 page document, okay?

20 BY MR. REGENSDORF:

21 Q. All right. Mr. Barnas, let me draw your attention
22 now to the next page of the response following the exhibit A
23 page which is the guiding principles. Now, you will agree
24 what these next two pages do is take each principle and split
25 out anywhere from five to ten sub points that are the concerns

1 of this organization with respect to each of the guiding
2 principles, correct?

3 A. Correct.

4 Q. Okay. Look at principle one first so I can kind of
5 focus your attention. Is there any sub point under principle
6 one dealing with restoring professional experience and
7 accountable management to the city that in your opinion
8 demonstrates that this organization was specifically organized
9 to oppose your ordinance or to elect one of the
10 commissioners?

11 A. Repeat that last part. Was it -- Did you say
12 opposed the ordinance?

13 Q. Right. Let me back up.

14 A. It was a long question.

15 Q. I apologize. I'll try to make my questions shorter
16 for you. Mr. Barnas, you have stated three times under oath
17 in your petition that the organization was specifically formed
18 to oppose your borrowing limitation ordinance; is that
19 correct?

20 A. Correct.

21 Q. And I would assume that the members of that
22 organization would have known that as being the guiding
23 founding principle, correct?

24 A. Correct.

25 Q. Okay. Do you know who wrote this document, this

1 document page 2?

2 A. No.

3 Q. Is there anything in this principle one and it's
4 bullet point break outs of specified topics, is there anything
5 in that point that is support for your conclusion that this
6 organization was specifically organized to oppose the
7 borrowing limitation ordinance?

8 A. The second bullet point from the bottom.

9 Q. What does that say, sir?

10 A. Appoint a charter review commission with directions
11 to perform a full review of the charter. When we put that
12 ordinance on the ballot, it was done without a charter review
13 committee that many including yourself vehemently opposed at
14 commission meetings. So what they're saying here is we want a
15 full review of the charter and we want a charter review
16 committee to do the review instead of just giving the
17 commission permission to do it.

18 Q. Maybe I'm missing something on my copy. Does it say
19 appoint a commission and we recommend opposing the charter
20 review process that's being on the ballot this time?

21 A. This group wanted a charter review committee.
22 That's what I read in here.

23 Q. Okay. Anything else in principle one in the ten or
24 so sub points that in your opinion demonstrates that this
25 organization was formed to specifically oppose your borrowing

1 limitation ordinance?

2 A. No.

3 Q. Okay. Go on to principle two at the bottom of the
4 page. Principle two is the comprehensive budgetary process.
5 First of all, these principles are the same language that's on
6 the previous page, right? These haven't been changed or
7 altered in any way, have they? Principle two here is the same
8 as principle two on the previous page?

9 A. The previous page guiding principles the headings
10 match the headings.

11 Q. Okay. This document hasn't been altered in some way
12 to suggest something nefarious?

13 A. Altered from what?

14 Q. From anything. They're the same. All I'm trying to
15 get at is there weren't any alterations of documents, at least
16 in your opinion? All I'm trying to find out, this document at
17 least consistently uses principle one, principle two,
18 following along, correct?

19 A. This document has a heading of mission statements
20 and it's got on this document mission statements that are
21 consistent with what it says up here that you read very
22 properly and then it lists guiding principles.

23 Q. And then it repeats them on the next page broken
24 out?

25 A. Then you break them down on the next page.

1 Q. Let's look at principle two. Tell me if you think
2 in principle two if there is something that causes you to
3 conclude that this group was specifically formed to expressly
4 advocate against your borrowing limitation ordinance --

5 A. No.

6 Q. -- in principle two?

7 A. No.

8 Q. Let's go to the next page principle three. This is
9 the commitment to the restoring of civility and fairness to
10 government in High Springs dealing with how elected officials
11 interact with city staff, residents and the public. Is there
12 anything in the four points under principle three that
13 provides support for your conclusion under oath three times
14 that this organization was specifically formed to oppose your
15 borrowing limitation ordinance?

16 A. No.

17 Q. Does anything under principles one, two or three, in
18 fact, expressly advocate for the defeat of your borrowing
19 limitation order?

20 A. As I stated in the other one, the other ones,
21 whatever is on the record.

22 Q. The appointment of a charter review commission, is
23 that the one? You talked about that one.

24 A. That one and something in the other one.

25 Q. I don't remember the other one, but if there was

1 another one, you're right, the record will reflect it. Let's
2 go to principle four and this is restoring the reputation of
3 the city outside its borders with other governments as being
4 responsible, caring and fair government and there are five sub
5 points under this and it addresses, well, it addresses the
6 USDA dealings. It addresses the Alachua County dealings. It
7 addresses re-educating commissioners on how they should
8 interact with the city and other governmental entities. Is
9 there anything in any of principle four's five points which
10 expressly advocate against your borrowing limitation ordinance
11 or suggest to you that this organization was specifically
12 formed to oppose that?

13 A. No.

14 Q. And is there anything on these two pages or all
15 three pages, I guess, that says anything to you that suggests
16 that this organization was formed to advocate either the
17 election of a human being on the commission or the defeat of a
18 person running for the city commission?

19 A. I will once again say as I did in my deposition and
20 earlier, the disclaimer which is actually different on other
21 versions of the mission statement which has been changed, in
22 this one it again talks about specifics. We encourage local
23 residents, business owners and others invested in and
24 supportive of our goals. Supportive is the key words of our
25 goals to sign on to show public, public support for this

1 effort and then it refers to their Facebook page which links
2 this to the Facebook page which links it to the other
3 documents which have their goals which links it to the
4 statements made in Facebook and press releases where - a press
5 release said by your organization said we need people to
6 advocate for issues or it was the word advocate was in there,
7 but I can't find it here.

8 Q. So if the word support is in a document, that means
9 the group was created to --

10 A. Supportive. Looking for supporters.

11 Q. Looking for supporters?

12 A. Correct.

13 Q. It doesn't speak to a borrowing limitation
14 ordinance, does it?

15 A. It refers to your goals.

16 Q. Okay. We just looked at the four goals. They don't
17 make any reference to that?

18 A. No. I don't think those were goals.

19 Q. I thought they were. Let's go back and check.

20 A. Guiding principles. They're principles. These four
21 are not exactly what I'm referring to as goals. We'll get to
22 one of your other ones. We'll find the goals.

23 Q. We'll get there I'm sure.

24 A. I'm sure.

25 Q. Well, let's go back to your complaint and turn to

1 page 19.

2 MR. REGENSDORF: If I could see exhibit 5. I may
3 have another one. I think that's the exhibit, but I
4 don't have a marked copy.

5 ALJ: I'm sorry. I'm looking at the wrong one.

6 MR. REGENSDORF: That's okay. This is it. This is
7 it. I didn't mean to switch documents. I thought I made
8 it clear. Obviously I didn't. My fault.

9 BY MR. REGENSDORF:

10 Q. Leave the response aside for the time being. Go
11 back to your complaint.

12 A. Okay. 19.

13 Q. Yes, sir. Page 19. And while I am - while you're
14 finding page 19 of that --

15 A. I did.

16 Q. Do you have page 19? Okay. This is also a document
17 on the letterhead or heading Concerned Citizens For A Better
18 High Springs, correct?

19 A. Correct.

20 Q. Okay. Again the mission statement is contained at
21 the top of the document, correct?

22 A. Correct.

23 Q. Now, this document along with the goals -- I'm
24 sorry. The principles of the organization document before
25 that we just looked at was also referred to by you when you

1 were responding to the petition for attorney's fees,
2 correct?

3 A. Correct.

4 Q. And at that time it was your mission, it appears, to
5 try to convince the Florida Elections Commission that the
6 Concerned Citizens For A Better High Springs had altered a
7 document apparently to cause you damage in some way,
8 correct?

9 A. No. Not to cause me damage in some way.

10 Q. But why did you think that the Concerned Citizens
11 had altered a document?

12 A. Let's -- That's a good question. Concerned -- Let's
13 look at -- Can we go back to both documents?

14 Q. That's where I'm going. That's exactly where I'm
15 going.

16 A. Put your other document back out there that was page
17 --

18 Q. I have got all the documents including your response
19 here in front of me. I don't know if the Judge does.

20 A. On the top of the page, Concerned Citizens For A
21 Better High Springs, that's on both pages, correct?

22 Q. Sure. Like if it said City of High Springs or
23 Holland and Knight or DOAH.

24 A. Or DOAH.

25 Q. You bet.

1 A. You bet.

2 Q. That doesn't cause you any concern, does it?

3 A. No.

4 Q. Go ahead.

5 A. The mission statement is exactly the same. Then
6 Concerned Citizens For A Better High Springs support a local
7 government. Exactly the same both pages.

8 Q. Sure. The mission statement is quoted accurately at
9 the top of each document. Have you ever been in an
10 organization that had a mission statement.

11 A. Absolutely.

12 Q. Sure. And, in fact, mission statements are
13 frequently found on every piece of stationary for some
14 organizations so that you never lose sight of the mission
15 statement, correct?

16 A. As a Marine I would know that.

17 Q. Sure. Semper Fi. So there is something to
18 repeating the basic mission statement in an organization,
19 correct?

20 A. Consistent mission statement, yes.

21 Q. Sure. And that's all this is so far. We've got the
22 same title, same organization, and the same mission statement,
23 correct?

24 A. The same mission statement, correct.

25 Q. Okay. Now, what I was getting to was where in your

1 response to fees you spell out apparently your concern with
2 these documents and I'm on exhibit 5, I believe. In your
3 narrative letter you say, so I asked the commission to
4 carefully look at the mission statement I submitted, then
5 compare the exhibits of Mr. Regensdorf, then asked the
6 question, "Why would a lawyer submit an altered document? You
7 can't make this stuff up."

8 That's your comment.

9 A. That's right.

10 Q. And you attached to that two documents.

11 A. This one and this one.

12 Q. The mission statement with four guiding principles
13 and this one which is a mission statement at the top and then
14 five key areas of principal, p-a-l, concerns. Those are the
15 two documents you're talking about, correct? Here, take a
16 look at --

17 A. I don't need to take a look at that. I'm going to
18 tell you, those two documents are the two documents in my
19 complaint.

20 Q. Well, one of them is actually not in your complaint,
21 but okay.

22 A. Well, they're referred to. There is also a third
23 one that somehow in the mix of all these things did not get
24 properly submitted with that complaint. There's a third
25 version of this.

1 Q. When you say "this", say it out loud for the record
2 so that the court reporter and the Judge can know what you're
3 talking about.

4 A. Okay. The first one was -- Okay. Let's take their
5 version. One, mission statement guiding principles with the
6 four principles, p-l-e areas of concern. Then there's the
7 mission statement that has five key areas of principal
8 concern.

9 Q. Correct.

10 A. Okay. Which lists five key areas that each one says
11 therefore we believe.

12 Q. And it's a completely different document, correct,
13 except for the first few lines?

14 A. It's not - it's a different mission statement. This
15 one is a mission statement. Now, to me the way I understand a
16 mission statement which one is the true mission statement? Is
17 your mission statement the five key area principal concern or
18 are they guiding principles which is your mission statement?
19 They're both different. They both make different statements.
20 So if I'm - if I'm Sergeant A in Company B and I get - I'm
21 given this mission statement, and Sergeant A in Company C gets
22 this mission statement, we have a problem. We don't have the
23 same mission.

24 Q. The mission statements are identical in these two
25 documents, sir?

1 A. No, they're not.

2 Q. The mission statement is quoted identically.

3 A. The breakdown of what the mission is then is
4 different --

5 Q. Let's look at it.

6 A. -- and then --

7 Q. I'm sorry. Maybe I interrupted you. You go ahead.
8 You're on a roll. Continue to explain.

9 A. Let me continue to explain.

10 Q. Sure.

11 A. There is another version of this.

12 Q. When you say "this", what document are you referring
13 to, sir?

14 A. I got it and somehow it did not make it into this
15 packet.

16 Q. I would sure like to see it. Is it in your
17 Concerned Citizens' folder, sir?

18 A. It's in this folder that I had which was at my house
19 which I thought to be honest when I saw them, I didn't put the
20 right ones in the packets, but there was a third one. So let
21 me just - let me just -- This one is this one. It matches
22 exactly what you have.

23 Q. This one is this one. I'm sorry, Mr. Barnas. The
24 court reporter will not be able to get this down and we need
25 to have this down.

1 A. How would you like me to describe exhibit 3 that
2 says altered missing item.

3 Q. Hold on. I'll tell you how I suggest we do so as a
4 lawyer we have a record.

5 A. Okay.

6 Q. You are pointing to a document that is marked as
7 exhibit A within Ms. Yeago's response that's already been
8 marked in this case. That is one of the documents you just
9 referred to. Then you are holding in your left hand another
10 document which I would like -- Can I have that, please, sir?

11 A. This is the same one as that.

12 MR. REGENSDORF: Well, I have no idea if that's the
13 case. You're accusing people of changing documents and
14 I want to have what you're holding in your hand which I'm
15 now holding in my hand whatever it is marked as the next
16 exhibit so we'll have it in the record so we can know
17 what you're talking about if I may.

18 ALJ: Okay. Yeago 17.

19 BY THE WITNESS:

20 A. I --

21 MR. REGENSDORF: Wait. Wait. Let's get it marked.

22 MR. LITTLE: No objection, Your Honor.

23 MR. REGENSDORF: What's the objection, Mr. Little?

24 MR. LITTLE: The statement was there is no
25 objection, Your Honor. I must have mumbled.

1 ALJ: I thought you objected.

2 MR. REGENSDORF: I'm sorry. And I thought you were
3 being more objectionable than normal.

4 BY MR. REGENSDORF:

5 Q. Let's hand this back. Now, please, don't take the
6 clip off this, Mr. Barnas. This document that's now been
7 marked as exhibit 17, you were about to tell me --

8 MR. LITTLE: 17?

9 MR. REGENSDORF: 17. Blue ink at the bottom.

10 BY MR. REGENSDORF:

11 Q. Now, you were about to tell me that there was a
12 third document and you were going to explain how it was
13 changed or altered because quote "you just can't make this
14 stuff up." Go ahead if you would, please, sir.

15 A. Before I answer that, Your Honor, there was copies.
16 This is not a whole bunch of documents. It's a copy for
17 everybody in here.

18 BY MR. REGENSDORF:

19 Q. I didn't try to change it or alter it. I simply
20 took the package that you had.

21 A. No. You took it before I could explain what I had.

22 ALJ: Okay. Let me mark it.

23 BY THE WITNESS:

24 A. It's copies for everybody.

25 MR. REGENSDORF: The purpose was to mark it before

1 we did anything.

2 ALJ: Well, you all tend to talk over each other.

3 BY THE WITNESS:

4 A. That seems to be happening.

5 ALJ: Both of you all tend to talk over each
6 other.

7 MR. LITTLE: Why don't we do this. Why don't you
8 let Mr. Regensdorf ask the question and then you answer
9 yes, no, or I don't know.

10 THE WITNESS: Okay.

11 ALJ: I see what he's saying. This is copies. This
12 is multiple copies of Exhibit A.

13 MR. REGENSDORF: I guess I would like to look at it
14 before we take it apart so I can see what we're talking
15 about.

16 ALJ: Go right ahead because I may only need one
17 copy in that packet.

18 MR. REGENSDORF: Your Honor, what this is are four
19 copies of the pages in Mr. Barnas' response to fees which
20 has at the top in handwriting Exhibit A and a sticker in
21 the lower right exhibit 3 (3 pages) ALTERED, all caps
22 quote "missing item 5" the number.

23 ALJ: I see that, yes.

24 MR. REGENSDORF: What he has gotten here are four
25 copies of that. I have no objection to your keeping a

1 mere one of those.

2 ALJ: I just need one.

3 MR. REGENSDORF: And then we can talk about how that
4 differs from the ones that he claims were altered.

5 ALJ: I'll give you a copy, Mr. Little.

6 MR. LITTLE: Okay.

7 MR. REGENSDORF: Could I have one just to -- She'll
8 mark it as exhibit 17 I'm sure. Thank you.

9 MR. LITTLE: Did you get a whole one?

10 MR. REGENSDORF: You didn't quite dig deep enough.
11 You have a third page there.

12 MR. LITTLE: I'm sorry.

13 MR. REGENSDORF: That's all right. Now you have dug
14 too deep. I'll give you back two of the pages. I now
15 have exhibit 17.

16 BY MR. REGENSDORF:

17 Q. Mr. Barnas, let's go back and see if we can't first
18 of all understand the materials that you submitted to the FEC
19 as the person in this case who was responding to the petition
20 for fees. You submitted three pages which have now been
21 marked exhibit 17 in this case, and just prior to those three
22 pages, you submitted two pages starting off with the logo, the
23 mission statement, and then the phrase five key areas of
24 principal concern, p-a-l concern:.

25 ALJ: Are you talking about his response to

1 attorney's fees?

2 MR. REGENSDORF: Yes, ma'am. It's this document, I
3 believe, exhibit 5, I believe.

4 ALJ: Yes.

5 MR. REGENSDORF: I apologize not having a good list
6 of exhibit numbers. I'll create one of these at lunch.

7 BY THE WITNESS:

8 A. Does that have a number 18 on the bottom?

9 BY MR. REGENSDORF:

10 Q. You know, Mr. Barnas, let me just stick with what my
11 question is and I'm going to let you get into this third
12 document that explains everything.

13 A. I'm still not following what you're talking about.

14 Q. Then I certainly want you to understand. In your
15 response to fees, it's about a 19 page document right here,
16 cover page is an e-mail, okay, on your city e-mail address.
17 This contains your communications with Donna Malphurs, your
18 letter, your argument in opposition to fees and your
19 attachments thereto.

20 A. I don't have what you're talking about.

21 Q. Perhaps your counsel. I thought I had given you an
22 extra earlier before we took a break?

23 A. Oh, it's under here.

24 MR. REGENSDORF: Thank you.

25 MR. LITTLE: Have you got another one, Mr.

1 Regensdorf?

2 MR. REGENSDORF: That's the last one I've got.

3 Maybe you can look over Mr. Barnas' shoulder.

4 MR. LITTLE: Can do.

5 BY THE WITNESS:

6 A. It says on the top exhibit 2, 2 pages.

7 MR. LITTLE: Is there a question?

8 BY MR. REGENSDORF:

9 Q. First I want to make sure you have the documents.
10 In your response on fees you attach the five key areas of
11 principal concern. At top it says exhibit 2, two pages and
12 you attach three pages which is the four guiding principles
13 with handwritten notes at top which has now also been marked
14 as exhibit 17 in this proceeding today. At the top of exhibit
15 17 you write exhibits (3 pages) close paren and then you write
16 altered, missing item 5.

17 And what you're saying, am I not correct,
18 Mr. Barnas, is that you believe when you filed your complaint
19 and when you filed this response to fees, that these documents
20 were the same except that somebody deleted item number 5,
21 correct?

22 A. No.

23 Q. That's not correct?

24 A. Not correct. I think I said that at the
25 deposition.

1 Q. I'm not a hundred percent sure, but that's what I'm
2 trying to find out because you asked in your response to the
3 FEC trying to avoid this fee hearing, you say, "Why would a
4 lawyer submit an altered document? You can't make this stuff
5 up." Was it your impression, Mr. Barnas, that this document
6 that has five key areas of principal concern was the same
7 document as the four points of guiding principles and that's
8 why the numbers 4 and 5 didn't match up?

9 A. No.

10 Q. That wasn't it?

11 A. No.

12 Q. What then was altered from on exhibit 17 in this
13 proceeding, what were you suggesting to the FEC was altered by
14 somebody taking, somebody being a lawyer presumably, taking
15 out the missing item number 5? What were you suggesting by
16 that?

17 A. On one day a document comes out that's a mission
18 statement and it said four principles under it. The next time
19 the mission statement comes out, now it's got five key areas
20 of principal concern. Completely different. Changed from the
21 first time one came out to when the next one came out. Now we
22 have got a different mission statement. It was altered. The
23 mission statement was altered.

24 Q. But that's not what this says. It doesn't even
25 begin to say that.

1 ALJ: Are you arguing with the witness?

2 MR. REGENSDORF: I apologize. Perhaps I was.

3 ALJ: Yes, you were.

4 MR. REGENSDORF: I apologize to you and

5 Mr. Barnas.

6 BY MR. REGENSDORF:

7 Q. That's not what this is suggesting at all.

8 MR. LITTLE: He's still arguing, Your Honor.

9 BY MR. REGENSDORF:

10 Q. Would you agree, Mr. Barnas, that what you're
11 suggesting was that the four guiding principles document had
12 been altered because number 5 had been missing? It's not on
13 here?

14 A. No.

15 Q. That's not what you're saying in your letter or in
16 the notes at the top of this page?

17 MR. LITTLE: Asked and answered.

18 ALJ: Sustained. Move on.

19 BY MR. REGENSDORF:

20 Q. Let's look to the document, it's in a couple of
21 places which ultimately we'll call the five key areas of
22 principal concern, okay?

23 A. Yes.

24 Q. You recognize this as addressing five things other
25 than the four guiding principles, correct?

1 A. Correct.

2 Q. Let's look at number 1 dealing with the dispatch
3 project. Is there anything in the key area of concern
4 dispatch project that suggests this organization was
5 specifically formed to oppose the borrowing limitation
6 ordinance?

7 MR. LITTLE: Which document are we looking at?

8 MR. REGENSDORF: We are looking at five. It's in
9 several places. It doesn't matter much where you look
10 at.

11 MR. LITTLE: But you're in the complaint?

12 MR. REGENSDORF: I am looking at it in the
13 complaint. If you want to look at it with some
14 handwritten notes, you can look at it in his response on
15 fees.

16 BY MR. REGENSDORF:

17 Q. Okay. My question is pretty simple. You have
18 alleged that the organization was specifically formed to
19 oppose the ordinance. Does the first area of concern even
20 talk about that?

21 A. No.

22 Q. All right. Does it even talk about an election of
23 commissioners and who should be elected or not elected?

24 A. No.

25 Q. So the first point has no bearing on the argument

1 that we are talking about here today, correct?

2 A. Correct.

3 Q. Okay. The second point deals with the morale of the
4 city employees being eroded by the city commission's
5 leadership and attitudes. There's three sub points under
6 that. Does that have anything to do with the borrowing
7 limitation ordinance?

8 A. Borrowing? No.

9 Q. Does it suggest that the - is there - does any
10 portion of that number 2 suggest that the organization was
11 formed to oppose the borrowing limitation ordinance?

12 A. No.

13 Q. Certainly doesn't expressly advocate against it,
14 does it, sir?

15 A. No.

16 Q. Number 3 deals with the absence of a professional
17 management in the city, and we need to get that back.
18 There's, actually looks like there are three sub points under
19 that although I think it goes A, B, D but --

20 A. The letters are wrong.

21 Q. Do any of those points support your statement that
22 this organization was formed to oppose specifically the
23 borrowing limitation ordinance?

24 A. No.

25 Q. Nor does it say anything about the election of any

1 commissioners, correct?

2 A. Correct.

3 Q. Okay. Number 4 deals with critical infrastructure
4 items, water, sewer, bricks and mortar. Does that have
5 anything to do with the borrowing limitation ordinance and
6 demonstrate that the basis for this organization was to oppose
7 that?

8 A. No.

9 Q. Now, the fifth one deals with proposed changes to
10 the city charter, correct?

11 A. Yes.

12 Q. Okay. What is it in your opinion first of all that
13 suggests this was why the organization was, specifically why
14 it was formed and that is to oppose the ordinance?

15 A. It's a mission statement.

16 Q. I'm sorry. What is a mission statement, sir?

17 A. This is part of their mission statement.

18 Q. Okay.

19 A. It says proposed changes to the city charter would
20 drastically change and significantly limit our future
21 commissioners are able to run our city government.

22 Q. That's a true statement, isn't it, sir?

23 A. Absolutely true.

24 Q. Okay.

25 A. Proposed changes. It was referring to the charter

1 amendment.

2 Q. Sure.

3 A. There was no doubt.

4 Q. I think it says that, doesn't it? Proposed changes
5 to the city charter?

6 A. Mm-hmm.

7 Q. And as you correctly point out, this is precisely
8 what that proposal would have done. It was designed to limit
9 city power, correct?

10 A. No.

11 Q. I'm sorry. Maybe I misunderstood. I thought you
12 just said that it was designed to limit the powers of city
13 government to borrow money?

14 A. I'm sorry. I never said that. I said --

15 MR. REGENSDORF: Well, my mistake. Could you go
16 back and just read two questions back. I think it might
17 be three questions back.

18 (Record read back.)

19 BY MR. REGENSDORF:

20 Q. So the proposed borrowing limitation ordinance was a
21 change if approved that would drastically change and
22 significantly limit how future commissions are able to run
23 city government, correct?

24 A. No.

25 Q. You just said yes before. It doesn't limit their

1 ability to run city government?

2 A. Let me just say something, sir.

3 Q. How about answering the question because you said no
4 and yes and I kind of need to get one of those.

5 MR. LITTLE: Your Honor, I object. He's arguing
6 with the witness. I don't think he said no and yes. I
7 think they were different questions.

8 BY THE WITNESS:

9 A. They were two different questions.

10 ALJ: I guess you need to elucidate because I
11 certainly think he said no and yes.

12 BY MR. REGENSDORF:

13 Q. Mr. Barnas, let's start all over again and if I show
14 frustration, it's my fault. Lawyers don't get paid to do
15 that. Here's my question. Let's try it from the start. I'm
16 going to read the opening language of the fifth key area of
17 principal concern, okay? I'm going to ask you a question
18 about it after I get done with it.

19 "Proposed changes to the city charter will
20 drastically change and significantly limit how future
21 commissions are able to run city government."

22 Question: Is that a true statement?

23 A. Not to me.

24 Q. Okay. Why not? Before we get to that, let's go
25 onto the second paragraph, paragraph A, okay? It says, I'll

1 read it, we'll do it sentence by sentence if you don't mind.

2 The amendment --

3 MR. LITTLE: May I inquire before he begins, Your
4 Honor? I think this may help with communication. Are
5 you asking him whether what you're reading appears on
6 that paper?

7 MR. REGENSDORF: No, I'm not. I'm asking him what
8 it means.

9 MR. LITTLE: Okay.

10 MR. REGENSDORF: If I read it incorrectly, one of
11 you two will say, Paul, that's not right. You left out
12 the word not or something and I'll apologize and start
13 all over again. I'm trying to get some idea if he agrees
14 with the concept of what's stated and then we'll find out
15 if whether he agrees or disagrees that it is a
16 significant limitation on a government. Mr. Barnas.

17 MR. LITTLE: Listen to his question very, very
18 carefully and then try to answer his question.

19 BY MR. REGENSDORF:

20 Q. Let me read you sub part a. And I'll tell you the
21 question I'm going to ask you ahead of time. I'll give you a
22 cheater leader here. I'm going to ask you if that's an
23 accurate statement of what the proposed amendment was going to
24 do, okay? Here's the question. I'll put it on the record.
25 It says, "The amendment would prohibit the city commission

1 from incurring any debt beyond one million dollars unless
2 first approved by a two thirds vote (four out of five) of the
3 commission plus passage of a referendum by the voters
4 approving the debt before the loan could be made, ensuring
5 that an immediate response to a major crises virtually
6 impossible from a financial perspective." End of block quote.

7 Now, my question to you is is that essentially a
8 statement of how your proposed borrowing limitation ordinance
9 would function?

10 A. No.

11 Q. Tell me why not?

12 A. It says ensuring the immediate response to a major
13 crises virtually impossible from a financial perspective.
14 That's not what the wording is in there.

15 Q. I didn't say that. Bad -- If I said the word -- If
16 I said it was in the wording, I didn't mean that. I don't
17 think I did say that. Isn't that what your proposal would do?
18 Isn't this the mechanism of your proposal?

19 MR. LITTLE: Asked and answered.

20 ALJ: Overruled.

21 MR. REGENSDORF: How could that be?

22 MR. LITTLE: He said no.

23 ALJ: Overruled.

24 BY THE WITNESS:

25 A. Whose proposal?

1 BY MR. REGENSDORF:

2 Q. The borrowing limitation ordinance that was approved
3 by the city commission and placed on the November ballot. You
4 know what I'm talking about now, correct?

5 A. Yes.

6 Q. Let's go through it piece by piece. Let's do it
7 that way.

8 A. This --

9 Q. Hold on. Hold on. The proposal limited the city
10 commission from borrowing money more than one million dollars
11 absence some certain conditions, correct?

12 A. Correct.

13 Q. Okay. The conditions were that first the city
14 commission would have to approve that loan of more than one
15 million dollars and would have to approve it by a super
16 majority of a two-thirds vote which with a five person
17 commission means you need four out of five votes, correct?

18 A. Correct.

19 Q. After the city commission voted by two-thirds to
20 approve a proposed loan of more than one million dollars,
21 there would then have to be a vote of the electorate at a
22 public election and that referendum would have to pass the
23 voters' approval before the loan could be made, correct?

24 A. Correct.

25 Q. Okay. Now, does that delay immediate response to a

1 need for funds if there were to be a need for funds with that
2 ordinance in place?

3 A. Not in my opinion.

4 Q. Do you realize that some people might disagree
5 with you on that?

6 A. Yes.

7 Q. You think you can get money just as quickly that way
8 as you could if you needed it without that limitation in
9 effect; is that correct?

10 A. Yes.

11 Q. How would that work exactly if you could just
12 explain that?

13 A. Too hard to explain. It would be a complicated
14 question.

15 Q. Okay. I understand. Well, let's move onto
16 something else. How long does it take to get a city election
17 noticed and advertised and proposed and scheduled and held, do
18 you know?

19 A. I don't know.

20 Q. Can you schedule city commission meetings a lot
21 faster than you can schedule public elections for an entire
22 city?

23 A. Yes.

24 Q. Okay. The second paragraph, paragraph B, why don't
25 you just read through that and first of all see if you agree

1 with it. It's not the language of the proposal. See if you
2 agree with it or disagree with it?

3 A. I disagree with that.

4 Q. First of all, what does that paragraph mean to you
5 which you disagree with? What does it mean as it's stated?

6 A. That we had no long range planning concerns.

7 Q. Okay. You think the city had appropriate long range
8 planning concerns?

9 A. Yes.

10 Q. Were they in the ordinance?

11 A. No.

12 Q. So your concern is with the part of whether there
13 was or wasn't adequate long range planning concerns if this
14 charter amendment was approved, correct?

15 A. I disagree with this statement.

16 Q. You understand that it was subject to disagreement.
17 There was a debate going on in the city of High Springs as to
18 whether that would cause some sort of long term financial
19 problems, correct?

20 A. Sure.

21 Q. Okay. Now, then there's the therefore we believe
22 language. Why don't you read that out loud?

23 A. Therefore we believe the proposed amendment to limit
24 debt to one million dollars unless first approved by a
25 two-thirds majority of the commission (four out of five) and

1 order a referendum vote by the citizens is a serious and
2 significant limitation on future commissions' ability to
3 manage their financial resources of the city.

4 Q. Do you agree with that?

5 A. No.

6 Q. Well, I'm looking up to the language that we have
7 already talked about under number 5 which said proposed
8 changes to the city charter will drastically change and
9 significantly limit how future commissions are able to run
10 city government and you agreed with that?

11 A. I did not. You asked --

12 Q. Okay. All right. You didn't view this as any kind
13 of a significant change in city government, is that basically
14 your position?

15 A. View what?

16 Q. The borrowing limitation, the one million dollar
17 limitation, the two-thirds super majority vote, the subsequent
18 approval of that two-thirds majority vote by a city election,
19 you did not view that then, if I understand your testimony, as
20 a drastic change or a significant limitation; is that
21 correct?

22 A. That's an interpretation of my vote so...

23 Q. Just answer my question, if you could, sir.

24 A. I'm not sure of the question. Repeat it, please.

25 Q. But at any rate, let's try it this way: This was a

1 debate about how to set up the future of city government,
2 correct?

3 A. What was the debate?

4 Q. Whether to put this proposal borrowing limitation in
5 place, correct?

6 A. Yes..

7 Q. And one of the things this says is that citizens as
8 they consider this should carefully explore long range
9 consideration when considering this amendment, correct?

10 A. That's what this says.

11 Q. Okay. All right. Where does it say vote this down
12 or is that in some other document?

13 A. It doesn't say vote this down in this right here.

14 Q. Okay. Where does it say that?

15 A. It doesn't.

16 Q. Where does it say vote no on that?

17 A. It doesn't.

18 Q. Where does it say we strongly recommend as part of
19 our founding principles that this should be voted down?

20 A. It doesn't say those exact words..

21 Q. Okay. You attach another document --

22 ALJ: To what?

23 MR. REGENSDORF: To the complaint. Thank you,
24 Judge..

25 BY MR.. REGENSDORF:

1 Q. Exhibit 1, page 25 which is a couple of pages over.
2 Just so we can eliminate them, and let me withdraw that
3 question. If you go back to page 22 Concerned Citizens five
4 key areas of principal concern. This page right here. I
5 think it was a little pamphlet or something. It's in your
6 complaint. I'm sorry, sir. We are staying with your
7 complaint for the time being. It's page 22 about two-thirds
8 of the way to the back. No, sir. The complaint right here,
9 exhibit 1.

10 MR. LITTLE: Right here.

11 BY THE WITNESS:

12 A. Okay.

13 BY MR. REGENSDORF:

14 Q. Okay. And just so the court may have trouble
15 reading that, that language is exactly the same verbatim, no
16 alterations, no deletions, same number of points as the five
17 key areas of principal concern on page 19 and 20, correct?

18 A. Let me look.

19 Q. Sure. These are the documents in your complaint
20 now.

21 A. This one and this one. Excuse me.

22 Q. That's okay.

23 A. They're different.

24 Q. How are they different?

25 A. This complaint, this is the one.

1 Q. Let me tell you where I'm going. I thought we could
2 save some time with this. I'm trying to go through every page
3 of your complaint to see where you find support for the
4 statement that the organization was formed specifically to
5 oppose the ordinance or to elect a candidate, or that they
6 expressly advocated for that opposition or that they expressly
7 advocated for a candidate? And I skipped over these two pages
8 and I did not mean to. So my question is, it appears to me,
9 but I'm asking you, that the version that's printed in a
10 longer and narrower format, you have it in front of you right
11 there, it appears to me that that is verbatim the same as the
12 five key areas of principal concern that we have just gone
13 there point by point by point, and I'm asking whether you can
14 confirm that for me? And if you can't, maybe we could do it
15 over lunch or something because I do want to make certain that
16 if there is a difference, you tell me what that difference is.

17 A. Okay. There is a difference.

18 Q. Do you know what it is?

19 A. The disclaimer on this page is different than the
20 disclaimer on this page.

21 Q. Okay. Well, you talk about the disclaimer. Let's
22 leave the disclaimer aside. Whatever that word means, let's
23 leave it aside for the time being. The textual description of
24 what this organization stands for, if you will, the five key
25 areas of concern or on another document the four guiding

1 principles, in this case are the five key areas of principal
2 concern on pages 19 and 20 of your complaint the same five key
3 areas of principal concern that are reproduced I suggest on
4 pages 22 and 23 of your complaint? I'm leaving out what you
5 call the disclaimer for the time being.

6 A. Your Honor, excuse me. May I read it?

7 ALJ: Sure.

8 BY MR. REGENSDORF:

9 Q. Sure.

10 A. They're different. Oh, wait. Wait.

11 MR. LITTLE: Your Honor, it might help if he and I
12 went outside and I read one of them out loud while he
13 reads the other.

14 MR. REGENSDORF: Sure. We can do it a lot of ways.
15 Since they were put in his complaint in his opinion to
16 support something, I can't see putting in multiple copies
17 of the same thing so if there's a difference that's all
18 I'm trying to --

19 BY THE WITNESS:

20 A. Your Honor, I'm having a problem reading it right
21 now looking at it and trying to compare it because the print
22 is so small on this one. I don't know what to tell you.

23 BY MR. REGENSDORF:

24 Q. Okay. Let me ask you this: Why did you put the
25 second version in there then, the one that's on the smaller

1 print that you're referring to?

2 A. Because it was from the Facebook.

3 Q. It may have been from a thousand different places,
4 but if it said the same thing, why would you put it in other
5 than as your lawyer says padding a bunch of stuff into a
6 petition? Why would you put it in there?

7 A. One was from Facebook and one was distributed.

8 Q. So you would put it in even if it was identical just
9 to show that they said whatever it is that they said, they
10 said it again. Is that what you're saying?

11 A. Yes.

12 Q. Okay. I do want to know whether you think there is
13 anything different because you keep saying that you think that
14 there is and then you take it back and I need to know because
15 if there's anything in there that --

16 ALJ: Well, then he's going to have to do a line by
17 line comparison.

18 MR. REGENSDORF: Okay. I agree with you, Judge.

19 ALJ: We may have to take a break to let him do that
20 or let them do it over lunch. However you want to handle
21 it. I have no preference.

22 MR. REGENSDORF: I would like to get this done
23 before I go on. I'm much closer to the end than the
24 start, Judge.

25 MR. LITTLE: Five minutes.

1 ALJ: Five minutes should be enough.

2 MR. LITTLE: Let's go next door.

3 ALJ: I think there's probably rooms available.

4 MR. REGENSDORF: Thank you.

5 MR. LITTLE: We have got them both.

6 ALJ: Because I think your suggestion reading it to
7 him while he reads silently will work. Off the record.

8 (Short recess.)

9 ALJ: Back on the record. Go ahead and ask your
10 question.

11 BY MR. REGENSDORF:

12 Q. Mr. Barnas, you and your attorney have cross read
13 the two things that are entitled the five key areas of
14 principal concern?

15 A. Yes.

16 Q. Okay. Are there any material differences between
17 the larger print version and the smaller print version?

18 A. No. No wording.

19 Q. All right. Going back to your complaint.

20 A. Which one was that?

21 Q. This is the one on the Florida Elections Commission
22 letterhead dated April 3rd with the cover letter.

23 A. Okay.

24 Q. And what I would like to do is turn to what is page
25 6, numbered page 6 of the FEC's system. It is your fourth

1 page of your typewritten narrative after the --

2 A. With my signature on the bottom?

3 Q. It's got your signature on the bottom.

4 A. Okay.

5 Q. Now, first of all, at the very bottom there are
6 listed five statutes, correct?

7 A. Correct.

8 Q. You personally identified those five statute and
9 pulled them out of the Florida Statutes online or something,
10 correct?

11 A. Correct.

12 Q. For the purposes of including them in your
13 complaint, right?

14 A. Correct.

15 Q. You didn't keep a copy of them, right?

16 A. No.

17 Q. Correct?

18 A. No. Correct.

19 Q. Okay. And I believe you weren't even aware that
20 they carried or at least some of them carried criminal
21 sanctions for non compliance, correct? You didn't know
22 that?

23 A. When you say correct and say no, I get confused so
24 --

25 Q. Again, bad question.

1 A. Bad question.

2 Q. It's never your fault if a bad question is asked.

3 A. Bad question.

4 Q. Were you aware that some of the statutes that you
5 charged Ms. Yeago with violating carried with them criminal
6 penalties?

7 A. No.

8 Q. The top of that page, it's the first full paragraph,
9 starts off with the words during the pre-election period. See
10 that paragraph?

11 A. Yes.

12 Q. The next phrase deals with the fact that many named
13 members. I assume you mean named members of the Concerned
14 Citizens organization, correct? That's the members you're
15 referring to?

16 A. Named members.

17 Q. Of Concerned Citizens?

18 A. Correct.

19 Q. Okay. Held signs for Bryan Williams, right?

20 A. Yes.

21 Q. Do you think the fact that a person is in a group
22 means that if they exercise political support for a candidate,
23 that the group by definition is also expressly advocating the
24 election of that individual? Is that your opinion?

25 A. Yes.

1 Q. So therefore if any one of 200 people were to hold
2 a sign for Pat Rush, that means the group is for Pat Rush, is
3 that your opinion?

4 A. That person of that group and that group is for -
5 he's expressing the group's opinion.

6 Q. Sure. Did you ever -- You're not suggesting that
7 you saw people wearing signs that said I am with the Concerned
8 Citizens or T-shirts that said Concerned Citizens? None of
9 that happened, did it?

10 A. Nor did they have one that said they weren't.

11 Q. Okay. Did they say they were Republicans?

12 A. No.

13 Q. If that person had been a Republican, would that
14 mean that the Republican party also expressly advocated Pat
15 Rush if a Republican were holding that sign?

16 A. I don't know if they were Republican or not.

17 Q. But if they were a Republican, then because they
18 were a member of a group it would be expressly advocating it
19 for the group, correct?

20 A. Yes.

21 Q. Okay. Did you do any legal research, talk to a
22 lawyer, go to a law library, read a law review article or
23 anything that talks about whether the actions of an individual
24 expressing opinions on whatever the topic is bind each and
25 every group that that person is an individual of?

1 A. No.

2 Q. Did you ever do any research on that?

3 A. No.

4 Q. Do you think it would have been appropriate to do
5 some research before you accuse Ms. Yeago and her group of
6 expressly advocating something because a member of that group
7 was out on the street on their own behalf advocating that?

8 A. That's a complicated question. Rephrase it,
9 please.

10 Q. Did you think it was a good idea to research that
11 question before you accused Ms. Yeago of being in a group that
12 advocated something for that reason?

13 A. No. No.

14 Q. Okay. In the second line you make reference to some
15 four by four vote no posters opposing and I assume you mean
16 opposing the borrowing limitation ordinance; is that
17 correct?

18 A. Correct.

19 Q. Okay. I'm sorry. You said that. It says with
20 CCFBHS disclaimer.

21 A. Yes.

22 Q. That I assume you intend to mean Concerned Citizens
23 For A Better High Springs, correct?

24 A. Yes.

25 Q. The reason you put that sentence in there is because

1 you wanted to tell the Florida Elections Commission under oath
2 as a fact that there were signs out there that said vote no
3 for the budget for the borrowing limitation ordinance with
4 Concerned Citizens' endorsements on the bottom, correct?

5 A. Correct.

6 Q. All right. And, in fact, you go forward and say I
7 do not have a picture of these posters. Why not? If you were
8 concerned about this group from a month before this, why
9 didn't you take a picture of them?

10 A. Didn't have a camera.

11 Q. Did you ask anybody to take a picture of them?

12 A. I saw the newspaper take one.

13 Q. Did you ask the newspaper for a copy of it?

14 A. Yes.

15 Q. Did you get it?

16 A. No.

17 Q. The form that you filled out with the Florida
18 Elections Commission asks you about whether there are any
19 witness to this and asks for the names and telephone numbers
20 of persons you believe may be witnesses to the facts. Did you
21 list anybody anywhere on this that was a witness to any of
22 those facts?

23 A. No.

24 Q. Specifically did you list anybody who was a witness
25 to the fact of a four by four sign that said vote no with a

1 Concerned Citizens' logo at the bottom?

2 A. No.

3 MR. REGENSDORF: Your Honor, there's some color
4 prints of it. I think they're right here.

5 BY MR. REGENSDORF:

6 Q. Did you see who put those signs up, sir?

7 A. No.

8 Q. Or a sign. There weren't a whole lot of these signs
9 by all different people, right?

10 A. One where I was.

11 Q. Okay. Is that the sign? I'm referring to a
12 document that is in black and white in exhibit 2 and it's in
13 color as exhibit 10 for identification. Is that the sign,
14 sir?

15 A. I said the sign I recalled seeing had more wording
16 on it. It looked different than this one. I said that at the
17 deposition.

18 Q. I'm just trying to ask you today under oath if
19 you're telling this hearing officer, Administrative Law Judge
20 that you only saw one sign and this is not it, is that
21 correct? Sure. Take a look at it.

22 A. If this was the sign that I saw?

23 Q. If that -- So that the record will be clear, it's
24 one of the four page exhibit number 10 and it refers, it's got
25 a red circle with a slash through it and it says vote no on

1 High Springs charter amendment. Is that the picture you're
2 referring to?

3 A. That's correct.

4 MR. LITTLE: And what's the question?

5 MR. REGENSDORF: He's answering. I'm just trying to

6 --

7 MR. LITTLE: You interrupted him. I want to make
8 sure he answers the question.

9 BY THE WITNESS:

10 A. The question is was this the sign?

11 BY MR. REGENSDORF:

12 Q. I'll take that question.

13 A. In my opinion it's not.

14 Q. Okay. Do you have any evidence that shows it's not.
15 Any photographs? Anybody who saw two signs, one that looked
16 like that and one that looked like something else?

17 A. The sign that I saw that I remember I felt had more
18 wording and it was hung on a fence with the plastic things and
19 it would have had holes poked in all four corners. It would
20 have had holes. To hang it on that fence they had to have
21 holes poked in it to hang it on the fence.

22 Q. Did you read Mr. Hewlitt's affidavit which is
23 attached?

24 A. Yes, I did.

25 Q. Did you ever talk to Mr. Hewlitt as to the

1 preparation of the sign that he states under oath that he
2 prepared?

3 A. No.

4 Q. Is it your testimony that this, I don't know how big
5 this sign is, but I'm going to suggest that it's probably
6 maybe four by four, is it your testimony here today that this
7 is not the sign that you saw out there? Is that your
8 testimony, sir, under oath?

9 A. Yes.

10 Q. Okay. This sign, if this were the sign, it
11 certainly has nothing on it concerning Concerned Citizens,
12 correct?

13 A. Correct.

14 Q. And, in fact, Mr. Hewlitt says in his affidavit that
15 he didn't ask for any help. Didn't get any help. Did it all
16 by himself, he and his wife Linda, correct?

17 A. That's not correct.

18 Q. What did he say?

19 A. I believe -- I have to read his affidavit. He said
20 he bought them for \$98.

21 Q. He didn't get any help from the Concerned Citizens
22 For A Better High Springs, correct?

23 A. That's correct.

24 MR. LITTLE: May I ask as to clarify that question?

25 Was the question is he said he didn't or he didn't?

1 MR.. REGENSDORF: No. I'm going to say that - that
2 he said - did he say that he didn't.

3 BY THE WITNESS:

4 A. Read the --

5 BY MR.. REGENSDORF:

6 Q. You don't know what Mr. Hewlitt did. All you have
7 done is read a sworn affidavit under oath by Mr. Hewlitt,
8 correct?

9 A. Correct.

10 Q. Right. Which has photographs of black and white
11 photographs of what has now been marked as exhibit 10 for
12 identification in this case, correct?

13 A. Correct.

14 MR.. REGENSDORF: I'm going to ask that these be
15 admitted into evidence. These being exhibit 10 for
16 identification?

17 MR.. LITTLE: Object to that. They have not been
18 authenticated. He can't authenticate them.

19 MR.. REGENSDORF: They are the black and white -- If
20 you want to compare them to ones that are already in, you
21 can certainly do that, but I suggest if you do that they
22 are the four prints of the same black and whites that are
23 already in so I think it's appropriate that these be
24 offered into evidence.

25 MR.. LITTLE: Object.

1 ALJ: Sustained.

2 MR. REGENSDORF: Okay. Maybe I should understand,
3 if I could, Your Honor, the exhibits which are the black
4 and white versions along with Mr. Hewlitt's affidavit
5 were by agreement put in as exhibits without evidentiary
6 objection.

7 ALJ: Yes.

8 MR. REGENSDORF: And is the only objection that
9 these additional pieces of paper, the color ones are not
10 those?

11 ALJ: My objection?

12 MR. REGENSDORF: No. No. I'm saying is that the
13 reason for sustaining it? I rarely if ever argue with
14 the court. I'm just trying to find out.

15 ALJ: A, they're redundant. B, he hasn't identified
16 them as being relevant to this proceeding.

17 MR. REGENSDORF: Okay. Then, well, I'm sorry. I
18 didn't mean to take that away.

19 ALJ: They're posters that he saw.

20 MR. REGENSDORF: Right. Those should be kept
21 with you because they're still marked for
22 identification.

23 ALJ: And you have something else of mine. It was a
24 number 15.

25 MR. REGENSDORF: I do.

1 ALJ: Do not lose it.

2 MR. REGENSDORF: I would never lose it.

3 ALJ: It looks like it's lost already.

4 MR. REGENSDORF: It's not lost already. It's right
5 here..

6 ALJ: All right. Go ahead.

7 BY MR. REGENSDORF:

8 Q. Mr. Barnas, did you prepare any signs for election
9 day November 2012?

10 A. Yes..

11 MR. REGENSDORF: I think I have marked them in
12 evidence..

13 ALJ: Signs?

14 MR. REGENSDORF: Haven't I? Color prints.

15 BY THE WITNESS:

16 A. 7.

17 MR. REGENSDORF: Number 7. Thank you. If you
18 could, Judge, I don't have an extra print of those.

19 ALJ: (Proffering.)

20 MR. REGENSDORF: Thank you.

21 BY MR. REGENSDORF:

22 Q. Let me hand you these two documents that are exhibit
23 7. These are different blowups or different portions of one
24 sign; is that correct?

25 A. Correct..

1 Q. Three pages. I'm sorry. One is black and white.
2 The one in the upper left hand corner of the marked page is
3 the full and complete sign?

4 A. Yes.

5 Q. At the bottom of that sign what did you write in the
6 bottom legend? That's probably the easiest for you. Perhaps
7 this one. One of those two.

8 A. Citizen Concern For A Better High Springs.

9 Q. I'm sorry. Say that again.

10 A. Citizen Concern For A Better High Springs.

11 Q. Okay. Did you put that on there to make it sound
12 like it was from the Concerned Citizens?

13 A. No.

14 Q. Was it just a coincidence that the words are almost
15 identical to the Concerned Citizens group?

16 A. No.

17 Q. It's not a coincidence?

18 A. It's not a coincidence.

19 Q. It was deliberate?

20 A. Deliberate.

21 Q. Why did you make it sound like the Concerned
22 Citizens group?

23 A. I didn't. That was my sign.

24 Q. I know that. I understand whose sign it was. You
25 prepared it to convince people to vote for the borrowing

1 limitation ordinance?

2 A. I was a citizen concerned for a better High
3 Springs.

4 Q. My only question was did you pick the words because
5 they sound very much like the group that had formed that you
6 were not totally satisfied with?

7 A. No.

8 Q. Okay. Did you form - did you create a website
9 called Citizen Concerned For A Better High Springs on
10 Facebook? Did you do a Facebook page for a while?

11 A. I had a Facebook page, yes.

12 Q. Which you had to take down, correct? Facebook made
13 you take it down?

14 A. No.

15 Q. How did you take down that Facebook page? When did
16 you take down the Facebook page?

17 A. After the election.

18 Q. Was it created again using the same words Citizen
19 Concerned For A Better High Springs?

20 A. Yes.

21 Q. And it advocated for the, expressly advocated for
22 the passage of the borrowing limitation ordinance, correct?

23 A. Among other things.

24 Q. You had been preparing this petition against Sharon
25 Yeago for months. As early as Valentine's Day you were about

1 ready to file it according to your website at that time,
2 correct?

3 A. Yes.

4 Q. But ultimately you held off and didn't file it or
5 didn't sign it until April 1st, April Fools Day 2013,
6 correct?

7 A. Correct.

8 Q. And that was because it was April Fools Day,
9 correct?

10 A. No.

11 Q. What was the reason for that?

12 A. The last, I needed two names. The second name came
13 on March 28th I believe of Linda Jones. The FEC had told me I
14 had to have two names, \$500, two people. The second name was
15 given to me at a meeting - not given to me. She used her name
16 as a representative of the Concerned Citizens For A better
17 High Springs at a meeting on the 25th or the 28th and by the
18 time I typed the paperwork up, it was April 1st and I put it -
19 I put the date April 1st on it and I did post on my website
20 for a reason.

21 Q. And what was that reason?

22 A. That was personal.

23 Q. Well, tell me what the reason was?

24 A. I had been called a fool in a blog once before and I
25 just felt that let's see if I'm a fool again.

1 Q. Go back to your complaint for a couple minutes and
2 ask you to turn to page, it's page 25. Looks just like that.
3 Just like that. Got it?

4 A. Yep.

5 Q. Now, first of all, who pulled this print off of
6 Facebook?

7 A. I did.

8 Q. And you copied it here?

9 A. I did.

10 Q. Okay. And then you copied it here so it was your
11 job of copying it here, correct?

12 A. What do you mean?

13 Q. Okay. You pulled this off of your Facebook page of
14 Concerned Citizen and then copied it into your petition
15 against Sharon Yeago, correct?

16 A. I cut, cut, pasted --

17 Q. Right.

18 A. -- to a word page.

19 Q. Right.

20 A. Printed it.

21 Q. Right.

22 A. And included it.

23 Q. Got it. Now, so that the Judge understands where
24 this came from, this was a posting onto the Concerned Citizen
25 Facebook page by a gentleman named Gene Levine making

1 reference to a Friday night date of September 28th. It says
2 2102. I assume that means 2012, correct?

3 A. Correct.

4 Q. Mr. Levine is a resident of High Springs?

5 A. Yes.

6 Q. Mr. Levine is or at least lists himself as a
7 supporter of the Concerned Citizen For A Better High
8 Springs?

9 A. Correct.

10 Q. Or did at that time?

11 A. Correct.

12 Q. This post by Mr. Levine advocates the election of
13 Byran Williams against Pat Rush, correct?

14 A. Correct.

15 Q. Does this post say that Mr. Levine in any way speaks
16 on behalf of the Concerned Citizen?

17 A. This post does not.

18 Q. Was there anything about this post, the heading, for
19 example, you know, the Concerned Citizen endorses the
20 following post by people who have posted on their Facebook
21 page? Is there anything like that before this post?

22 A. It was on the page that is Concerned Citizens For A
23 Better High Springs posted by them.

24 Q. And I think you said that it's still on --

25 A. Still on there.

1 Q. -- the Facebook page?

2 A. It was as of a couple of days ago.

3 MR. REGENSDORF: Judge, do you have the Concerned
4 Citizens' folder of Mr. Barnas and that would be exhibit
5 --

6 ALJ: 6.

7 MR. REGENSDORF: Okay. That's it. Thank you very
8 much.

9 BY MR. REGENSDORF:

10 Q. This exhibit contains collected documents that you
11 have pulled together about things that you think are related
12 to Concerned Citizens, correct?

13 A. Correct.

14 Q. Do you know what was immediately before this post of
15 Mr. Levine's?

16 A. Before it?

17 Q. Just curious if you know what was before it, the
18 thing that was posted before it?

19 A. No.

20 Q. Do you know what was posted after it?

21 A. There was a comment after it that I believe it was
22 by -- I can't remember who it was by, but there was a comment
23 that said we are not political. Something to that effect.

24 Q. Well, your purpose in putting this page, page 25
25 into your complaint was not to file a complaint against Mr.

1 Levine, correct?

2 A. Correct.

3 Q. It was an attempt to link Mr. Levine's apparent
4 preference, expressed advocacy, if you will, for Byran
5 Williams to the Concerned Citizens group and make it their
6 preference as well?

7 A. No. Rephrase the question. That's complicated.

8 Q. You argued in your petition that the Concerned
9 Citizens group expressly advocated for Byran Williams,
10 correct?

11 A. Correct.

12 Q. In fact, that was the reason the organization was
13 formed, correct, according to you?

14 A. I take that back. My complaint was about the issue
15 not about Byran Williams. The complaint was specifically
16 about the issue, but it also said that they supported Byran
17 Williams.

18 Q. Well, you said that this group, I'm quoting from
19 page 3, tell me if I'm reading this incorrectly. This
20 individual, meaning many individuals, "formed an
21 organization/PC to defeat the ballot issue and also support
22 and support the election of Byran Williams."

23 A. Where are you reading?

24 Q. Page 3 of your complaint. That's the numbered FEC
25 page number. Paragraph, penultimate paragraph. Do you see

1 that?

2 A. Hold up the page.

3 Q. It's the first -- The page that starts off, Dear
4 FEC, okay? Address upper left hand corner.

5 A. Okay.

6 Q. The second paragraph from the bottom. The larger
7 paragraph says this complaint, meaning your complaint is that
8 a group of many individual formed an organization/PC to defeat
9 the ballot issue and also support and support the election of
10 Byran Williams, correct?

11 A. No.

12 Q. That's not what it says?

13 A. That's what it says.

14 Q. Okay. Well, weren't you trying to tell the FEC that
15 that was what your complaint was?

16 A. The complaint was about the ballot issue.

17 Q. Well, okay. If it was about the ballot issue, would
18 you agree that making references to Byran Williams has nothing
19 to do with your complaint?

20 A. No. It also showed that they were supporting him,
21 too, so...

22 Q. Were you trying to make an allegation that the
23 Concerned Citizens group was expressly advocating for the
24 election of Byran Williams?

25 A. Making that point, yes.

1 Q. Let me ask you if you can take a look at this
2 document. This is a document I just took out of exhibit 7,
3 your Concerned Citizens' folder. Do you recognize that --

4 A. Yes.

5 Q. -- that page. What is that document?

6 A. That's a copy. That's the original of what's in
7 here.

8 Q. When you say "what's in here", you mean what's in
9 your complaint?

10 A. What's in the complaint.

11 Q. At page 25?

12 A. The one we just spoke about in my complaint.

13 MR. REGENSDORF: Not quite and that's really my
14 question. The document I just handed to you and let's go
15 ahead and mark it the next exhibit or if you want to mark
16 it exhibit 6A or something so you can find it in this
17 collection, I don't really care.

18 ALJ: That sounds like a good idea. Yeago 6A.

19 MR. REGENSDORF: Okay. Just a thought.

20 ALJ: And that's a Facebook.

21 MR. REGENSDORF: Presumably. Thanks. All right.

22 BY MR. REGENSDORF:

23 Q. I'm looking at - you're looking now at my copy of
24 page 25 and the copy that's now been marked as exhibit 6A, you
25 say yeah, that's a copy of what's in your complaint. And my

1 point is almost except exhibit 6A which came out of your
2 folder here you have cut off the date and time that this post
3 by Mr. Levine was posted, correct?

4 A. The date is not there, correct.

5 Q. Nor the time?

6 A. Nor the time.

7 Q. It's September 28, 2012 at 9:16 p.m., correct?

8 A. Correct.

9 Q. Do you know why you cut that off?

10 A. No.

11 Q. Was it in any way sort of to separate the document
12 that's in your complaint from whatever else might have been
13 posted on the Facebook page on September 28th, 2012?

14 A. No. It might have been copied twice, cut and
15 paste.

16 Q. Okay. Might have been. But the reason you put it
17 into the complaint was because you wanted to try to make the
18 Concerned Citizens group responsible for Mr. Levine's advocacy
19 for the election of Byran Williams, correct?

20 A. Yes.

21 Q. Isn't it true, sir, that within 29 minutes after
22 9:16 p.m. on the evening of September 28th the Concerned
23 Citizens For A Better High Springs group posted on their
24 Facebook immediately below Mr. Levine's post, quote, "this
25 group will not be addressing political campaign issues. These

1 are for other groups. We are non partisan and non political
2 and will only be focused on policy recommendations to move
3 High Springs forward. September 28th, 2012 at 9:45 p.m." Is
4 that correct?

5 A. Correct.

6 Q. Let me ask you to take a look at that, but you have
7 looked at this Facebook page.

8 A. Yes.

9 Q. That's the post that you cut out when you cut out
10 the information below Mr. Levine's post, correct?

11 A. Cut and pasted.

12 Q. Right. Did you ever inform the Florida Elections
13 Commission that they might want to know that, in fact,
14 immediately within 29 minutes on the evening of the 28th
15 someone had already gone in and said Mr. Levine can say what
16 he wants, but that's not us? Did you ever think that the FEC
17 might want to hear that?

18 A. I could have also told them they left it up there
19 and didn't take it down.

20 Q. Did you make any comment about the comment that the
21 Concerned Citizens group posted?

22 A. No.

23 Q. But what you're looking at now is, in fact, the
24 posting that immediately follows Gene Levine's, correct?

25 A. Yes. Absolutely.

1 MR. REGENSDORF: If I could, I would like to mark
2 that printout from the Facebook.

3 ALJ: That will be 18.

4 MR. REGENSDORF: I don't have a complete copy of
5 that. I have that copy, but I don't have another copy of
6 that.

7 ALJ: Is this going to be mine?

8 MR. REGENSDORF: Well, maybe so. I don't know.

9 ALJ: Do you want it in evidence?

10 MR. REGENSDORF: Oh, yes. It's yours.

11 ALJ: It's mine, right?

12 MR. REGENSDORF: Yes. It's yours. That's what I
13 meant to say. Have a good time with it.

14 ALJ: Yeago 18. Any objection?

15 MR. LITTLE: No objection.

16 ALJ: Do you want it back?

17 MR. REGENSDORF: I do.

18 BY MR. REGENSDORF:

19 Q. Mr. Barnas, let me back up. Did you ever make any
20 comment to the Florida Elections Commission that in any way at
21 least communicated the fact that the Concerned Citizens group
22 didn't join with Mr. Levine in that regard?

23 A. I was never asked.

24 Q. Did you ever do it on your own? Did you ever seek
25 to clarify your information?

1 A. No.

2 Q. I had asked you before, actually I think on Friday
3 of what other information you might have that you could add up
4 to constitute the Concerned Citizens Group For A Better High
5 Springs was expressly advocating the election of Byran
6 Williams and you said that there was a post a week plus or
7 minus after the election by Linda Jones which spoke of support
8 for Byran Williams, correct?

9 A. Correct. That one.

10 Q. Yep. Let me ask you to take a look at what's been
11 marked in evidence as exhibit 18 and turn to page 6 of 15
12 which is a post on the same website Concerned Citizens For A
13 Better High Springs dated November 16, 2012. It's in the left
14 hand column. And ask you if that is the other piece of
15 information that you said supported your argument that the
16 Concerned Citizens group expressly advocated the election of
17 Byran Williams?

18 A. Yes.

19 Q. Could you read for the court the portion of that
20 post that you feel on November 16th constitutes -- Let me back
21 up. Is it your understanding that to be a violation of the
22 election code a political committee would have to spend more
23 than \$500 and expressly advocate for or against a candidate
24 before the election? In other words, in hopes of influencing
25 the election? Or is it your understanding that that expressed

1 advocacy could occur after the election is already over?

2 A. Could occur after.

3 Q. Could you read, please, for the court the language
4 of Linda Jones posted on November 16th which you feel
5 constitutes support for your complaint that the Concerned
6 Citizens group expressly advocated for the election of Byran
7 Williams?

8 A. This is the last meeting of mayor Dean Davis and
9 your opportunity to acknowledge his service of three years and
10 to support Byran as he begins a new three year term. The
11 commission will elect mayor and vice mayor at the meeting as
12 well as appoint citizens to many citizens boards.

13 Q. That's it? That's the part that you think suggests
14 they expressly advocated his election?

15 A. Yes.

16 Q. I don't have it in front of me. Does it say
17 anything like we did it? We won. Byran won or anything like
18 that?

19 A. The commission will elect a mayor and a vice mayor
20 as well as appoint citizens.

21 Q. Does it say anything gloating like we won? We did
22 it. Our motivation for being. Our raison d'etre happened?
23 Anything like that?

24 A. No.

25 Q. Did they ever say anything like that? Did they ever

1 say we won. Byran got elected. Our job was successful. Did
2 they ever say anything like that?

3 A. I don't recall.

4 Q. Did you ever put it in your complaint because I
5 assume you would have if you found it, correct?

6 A. Mm-hmm.

7 Q. Yes, you would have?

8 A. Yes, I would have.

9 MR. REGENSDORF: Could I have a short time to chat
10 with my client? I think I'm done. Take a short time.

11 MR. LITTLE: Do we have our witness here?

12 BY THE WITNESS:

13 A. I believe she's here.

14 MR. LITTLE: While he's taking a break, we'll see if
15 she's here. Maybe we can take her before we break.

16 ALJ: How long will she take?

17 MR. LITTLE: For me three or four minutes.

18 MR. REGENSDORF: I got a stop watch. I'll try to
19 stop you there or if she says what I think she will say.

20 ALJ: Talk to your client. Let's take five
21 minutes.

22 MR. REGENSDORF: Cool.

23 ALJ: Off the record.

24 (Short recess.)

25 ALJ: Back on the record.

1 BY MR. REGENSDORF:

2 Q. Mr. Barnas, taking your complaint again, do you have
3 a copy of it in front of you?

4 A. (Indicating.)

5 Q. Okay. What I'm trying to do is look at the
6 documents I haven't yet asked you about. There's an e-mail
7 string on page 9 and 10.

8 ALJ: Of what exhibit, 1?

9 MR. REGENSDORF: Exhibit 1, yes, ma'am. It starts
10 looking like that. It's after the narrative letter and a
11 couple of pages in. It looks like that.

12 MR. LITTLE: Yes. Starts with Bob.

13 MR. REGENSDORF: That's right, with Bob, and I
14 believe it ends with thank you for your service to our
15 city as a matter of fact.

16 BY MR. REGENSDORF:

17 Q. My question, Mr. Barnas, is is it your testimony
18 that this two page e-mail string between you and Ms. Yeago
19 constitutes some kind of explanation for why the Concerned
20 Citizens group was formed?

21 MR. LITTLE: This document?

22 MR. REGENSDORF: I don't think you're looking at the
23 right one.

24 BY THE WITNESS:

25 A. I have got it.

1 MR. REGENSDORF: Is that it?

2 MR. LITTLE: Yes..

3 BY THE WITNESS:

4 A. No.

5 BY MR. REGENSDORF:

6 Q. I'll ask an open ended question. How does this
7 document pages 9 and 10 which you chose to attach demonstrate
8 either that the organization was expressly formed to defeat
9 your borrowing limitation ordinance or to expressly advocate
10 for the election of Byran Williams?

11 A. It goes more to who Sharon Yeago was.

12 Q. Okay. This document describes her as the --

13 A. On the bottom of the page.

14 Q. -- official spokesperson?

15 A. Dear Bob, Lee, Scott. Lee was the city manager,
16 Scott was the city attorney.

17 Q. Right. Official spokesperson.

18 A. I am the official spokesperson for the Concerned
19 Citizens group.

20 Q. Which is what it said in that earlier newspaper
21 article, right, that she was the spokesperson?

22 A. It may have, but I may not have noticed that. Here
23 is what it says. This e-mail also says on page 10 --

24 Q. I'm with you.

25 A. -- on the bottom, please, direct any questions,

1 concerns or issues to me should they arise. I would be most
2 happy to respond as quickly and completely as possible. If
3 there are no further issues or misinformation or
4 miscommunication or distribution of incorrect information.
5 This was sent to the FEC to show, that's why she was named in
6 the case.

7 Q. You chose to name the spokesperson and not the
8 steering committee or the chair of the steering committee,
9 correct?

10 A. Correct.

11 Q. Okay. This also -- Had you met Sharon Yeago before
12 this time? I gather you had?

13 A. Yes.

14 Q. She explained how she was a consultant to city
15 government in the past and worked on a couple of projects, the
16 farmers market, the youth center. Worked with city staff.
17 Were you aware of that in page 10 of this e-mail?

18 A. Yes.

19 Q. Were you aware of the fact that that's her
20 livelihood is that she's a consultant to government and
21 government related organizations and that's her livelihood?

22 A. Yes.

23 MR. REGENSDORF: I'm done for now. Thank you.

24 ALJ: All right. You want to see if she is here?

25 If not, we are going to go to lunch.

1 MR. REGENSDORF: Or dinner.

2 ALJ: Your choice.

3 MR. LITTLE: I think we would like to take a witness
4 out of turn, please.

5 ALJ: Raise your right hand for me, please.

6 Thereupon,

7 CAROL DAUGHERTY

8 after having been first duly sworn, testified as follows,

9 DIRECT EXAMINATION

10 BY MR. LITTLE:

11 Q. Would you, please, state your name.

12 A. Carol Daugherty.

13 Q. Where do you live?

14 A. High Springs.

15 Q. Were you there at the time of the general election
16 in 2012?

17 A. Yes.

18 Q. Were you aware that there was a ballot measure
19 proposing an ordinance having to do with limiting the power of
20 the city to borrow money?

21 A. Yes.

22 Q. Were you for it or against it?

23 A. Limiting --

24 Q. Were you going to vote yes or no?

25 A. I was going to vote -- Let me rephrase that. I was

1 going to vote no to the limit, yes.

2 Q. To the limit. Okay.

3 A. That's right.

4 Q. Did you sign a form to become a member of the
5 Concerned Citizens For A Better High Springs?

6 A. Yes.

7 Q. Did you sign a petition such as this?

8 A. Yes.

9 Q. Okay. Why did you do that?

10 A. I was informed by the gentleman standing there that
11 this - he went into great depth explaining the one million
12 dollar cap and how it was not going to be enough and how a lot
13 of things were not going to work and would I sign.

14 Q. Join the organization?

15 A. Yes.

16 MR. REGENSDORF: Hold on a second. Since the
17 witness has looked at a document, could we at least have
18 that marked for identification and I would like to take a
19 look at it?

20 MR. LITTLE: We can. I was not going to.

21 MR. REGENSDORF: If the witness is looking at
22 something.

23 ALJ: I'll mark it as Barnas' exhibit 1.

24 MR. LITTLE: Barnas 1. Well, I'll move it into
25 evidence.

1 MR. REGENSDORF: It's pretty detailed. Hard to
2 disagree with that petition right there. It's blank.

3 BY MR. LITTLE:

4 Q. You mentioned the man standing there. Was he the
5 person that accepted your signature?

6 A. From what I can recall he was standing there with
7 something in his hands and I'm not exactly sure how that went.
8 You're asking me if he was holding the petition that he wanted
9 us to sign?

10 Q. No. Was he the person that was manning the table?

11 A. Yes. Yes.

12 Q. So you took it that he was --

13 A. Well, he motioned for us to sign it.

14 Q. To come and sign it?

15 A. That's what I was trying to think was whether or not
16 he had it in his hand or if he had it on the table, but he was
17 come and sign.

18 Q. You signed because you were told that the
19 organization was opposing the measure you were against?

20 MR. REGENSDORF: Object to the form. Leading.

21 ALJ: Sustained.

22 BY MR. LITTLE:

23 Q. Why did you sign?

24 A. I signed because he lead me to believe that by
25 signing I was going to prevent this from going to a vote.

1 MR. LITTLE: Thank you. I have no further
2 questions.

3 CROSS EXAMINATION

4 BY MR. REGENSDORF:

5 Q. Do you know who this gentleman was?

6 A. No, but he was very good looking.

7 Q. It was not me then.

8 A. No. It was not you. He was a little younger.

9 Sorry.

10 Q. Everyone is except maybe Joe. Did he have any
11 materials? Did he give you any materials to read?

12 A. He - I'm not sure. I know he had something in his
13 hand, but I was not sure. I don't think I received anything.
14 Now, my husband might have taken something, but I did not take
15 anything.

16 Q. So is it fair to say if he had something, if he
17 showed to you, if you had a chance to look at it, if anything
18 of those things were true, at this point you don't remember
19 what it said or what it looked like, is that a fair
20 statement?

21 A. Yeah. Sort of. Kind of.

22 Q. Was he wearing a shirt or anything that said, you
23 know, who he was or Joe's Bar and Grill or city employee or
24 Concerned Citizens For A Better High Springs or anything like
25 that that identified him where he came from, anything like

1 that?

2 A. I didn't take pictures of the scene.

3 Q. Was this at City Hall?

4 A. Yes. It was right behind City Hall. His table was
5 set up right where they take the water bill.

6 MR. REGENSDORF: I have nothing further.

7 MR. LITTLE: Thank you.

8 ALJ: Thank you, ma'am.

9 MR. REGENSDORF: Sorry it took so long. We made it
10 quick for you.

11 ALJ: All right. Lunch. What time is it?

12 MR. REGENSDORF: 3:00.

13 ALJ: Be back at 4:00.

14 (Lunch recess.)

15 ALJ: Back on the record. Cross. Do you want to
16 cross him?

17 MR. LITTLE: No. I'm going to take him on my
18 case.

19 ALJ: Okay. Next witness.

20 MR. REGENSDORF: Next witness will be moi.

21 ALJ: You can't ask yourself questions. Raise your
22 right hand for me though.

23 MR. REGENSDORF: Okay. You mean I can be narrative
24 is what you're saying.

25 ALJ: Yes.

1 MR. REGENSDORF: State your name. Paul Regensdorf.

2 How do you know that? I don't know how I know that.

3 ALJ: A little schizophrenic.

4 Thereupon,

5 PAUL R. REGENSDORF

6 after having been first duly sworn, testified as follows,

7 DIRECT TESTIMONY

8 BY MR. REGENSDORF: All right. In a narrative
9 fashion, my name is Paul Regensdorf. I'm the attorney
10 for Ms. Yeago in this matter. I went to law school
11 Florida State. Vanderbilt '72. Practiced actively in
12 Florida since then for the last 41 years. Clerked for
13 the U.S. Court of Appeal for a year then I worked in Fort
14 Lauderdale for the first 38 years or so with medium to
15 large commercial firms of all sorts. Not that many
16 sorts. My work was primarily litigation always with an
17 appellate component usually complex jury trials, some non
18 jury trials. I had an active but slender administrative
19 practice some of it in tax, primarily sales tax and a
20 fair amount in licensure of professionals primarily
21 medical and hospitals.

22 I have never done any Florida Elections Commission
23 matter. I work with Holland and Knight currently in
24 their litigation department. My billing rate for them is
25 \$505 at the time of this matter and that was the

1 agreement that Ms. Yeago and I entered into. It's a pro
2 bono agreement meaning that she will not and has not been
3 billed for my fees and will only be responsible for them
4 to the extent that this tribunal awards fees against
5 Mr. Barnas and I collect them as well as the costs and
6 that agreement reflects that it is capped at \$505.

7 I heard my good friend, not my good friend, but my
8 acquaintance Mr. Herron say that \$505 is a little rich
9 for lawyers that practice in this filed. Perhaps so. I
10 won't quarrel with his hourly rate. My firm and I were
11 deprived of my reasonable rate which I believe it is by
12 working on this matter, but be that as it may.

13 The time spent on my bill was spent. That said I
14 have testified for and against attorney's fees cases
15 many, many times over my career. Claimed them sometimes.
16 Resisted them sometimes, and been an expert sometimes.
17 There is always some time that is not recoverable as
18 Mr. Little pointed out from line to line. There's always
19 some, in my case, that is forgotten because I'm the worst
20 biller in the world so if I had to make a reasonable
21 estimate and testify as to the hours that were spent, I
22 would say the hours that Mr. Herron testified to which
23 was just over a hundred plus probably 15 to 18 hours
24 since that bill which have not gotten into the time which
25 includes Mr. Barnas' deposition, getting ready for this

1 hearing and appearing at this hearing and now apparently
2 appearing -- Well, we are not going to appear tomorrow
3 hopefully so hopefully it doesn't include that. It ends
4 today at ten hours today.

5 Obviously one of the things I was going to do, but
6 I'm not going to have time now is I spent time, not a lot
7 of time, but perceptible time on the issue of the fact
8 that Mr. Barnas has filed similar complaints comparable
9 anyway at least complaints against other public officials
10 or other people in the High Springs area in the Ethics
11 Commission or The Bar or Elections Commission and I'm not
12 going to reiterate. We argued a relevancy argument. I
13 think it's relevant to the issue that we are here on
14 today. However, if that turns out not to be, I would
15 acknowledge that on balance that would not be an
16 appropriate item to be included. I took a quick look.
17 I'm going to say perhaps 8 or 10 hours in that matter. I
18 would certainly reduce it for that reason.

19 Travel time, I have always billed for travel time.
20 I realize some clients don't pay for it, but I have
21 always billed for travel time and I don't see anything
22 professionally wrong. I try to use the time for either
23 that client or other clients, but if it's other clients,
24 then I don't bill the client that I travel for and, in
25 fact, the travel to Tallahassee fortunately I did not

1 have to go from Jacksonville, but High Springs, so I cut
2 short the distance and I did not bill the client for my
3 trip home to Jacksonville because that would be
4 inappropriate so that's why the one item of time was
5 slightly different.

6 As far as the hours spent I would add one other
7 point and that is that when I was contacted by Ms. Yeago
8 in April and learned that a complaint had been filed
9 against her and sat and talked with her, it appeared to
10 me as a lawyer that this was not your everyday run of the
11 mill lawsuit claim. Ms. Yeago works in government
12 contracting, government relations and her reputation in
13 the industry are her life. In my opinion this was a case
14 that could not be lost for Ms. Yeago. It needed to be
15 defended fully. I think I did. I think it was
16 successful. I to this point have been successful at each
17 stage and I make absolutely no apologies for the time
18 spent other than the small adjustments because it was
19 reasonably spent in my opinion prosecuting and defending
20 first and then prosecuting Ms. Yeago's claim.

21 That's my narrative testimony, Your Honor.

22 ALJ: Cross.

23 MR. LITTLE: Your Honor, I may call Mr. Regen on
24 substantive matters.

25 MR. REGENSDORF: Regensdorf. Get it right now.

1 Come on.

2 MR. LITTLE: Mr. Regensdorf on substantive matters.
3 I would like to ask him one question about this.

4 ALJ: Okay.

5 MR. LITTLE: If that's agreeable. I can wait and
6 ask him later. I don't know whether you would let me
7 question him twice.

8 MR. REGENSDORF: For my purposes, I have no
9 objection if that takes it off your neck, Judge.

10 ALJ: No. You need to finish with him because we
11 are pressed for time so whatever you have to ask, you
12 need to go ahead and ask.

13 MR. LITTLE: About matters that he didn't testify
14 to?

15 ALJ: Well, let me ask one question. What else
16 would you call him for?

17 MR. LITTLE: I may is ask him about the substance of
18 the complaint. Let me just ask him one question about
19 the billing, if I may.

20 ALJ: Okay.

21 CROSS EXAMINATION

22 BY MR. LITTLE:

23 Q. What did the meeting with the Concerned Citizens For
24 A Better High Springs have to do with the fee petition?

25 A. I'm trying to remember the full meeting so that I

1 can describe it to you. When we were - when Sharon and I were
2 considering whether to file a petition for attorney's fees, I
3 knew, Sharon knew that as between the two of us there would be
4 no money change hands if this petition didn't go forward so in
5 that sense there was a legitimate question as to whether we
6 were going to do it or not. Part of the reason for talking to
7 the Concerned Citizens is that Sharon was in part singled out
8 as a Concerned Citizen in this proceeding and although the
9 steering committee, the four controlling people were not
10 named, in my opinion should have been, but were not, they - I
11 did from time to time communicate with them. There was a bit
12 of their case. This is their case also. Consequently when we
13 decided to think about fees and whether to pursue them or not,
14 there was some ownership and I don't mean that in the legal
15 sense, on the question of is there a downside. Do we need to
16 do this? Should we do this? And although the ultimate
17 decision rested with Sharon with my advice, there was a
18 component of a discussion with the Concerned Citizens Steering
19 Committee. As best I can recall that was the mind set for
20 addressing that question with them.

21 MR. LITTLE: I don't have any other questions at
22 this stage -- Hang on -- about the fees. I have no more
23 questions about the fees, Your Honor.

24 ALJ: Okay. Is that all you want to ask for now?

25 MR. LITTLE: As for now, yes, ma'am.

1 ALJ: Okay. Any other witnesses?

2 MR. REGENSDORF: I call Ms. Yeago.

3 ALJ: Ms. Yeago, raise your right hand for me,
4 please.

5 Thereupon,

6 SHARON YEAGO

7 after having been first duly sworn, testified as follows,

8 DIRECT EXAMINATION

9 BY MR. REGENSDORF:

10 Q. State your name, please, and where you live.

11 A. Sharon Yeago, High Springs, Florida.

12 Q. Ms. Yeago, you have been talked about a bit today.
13 Could you tell the Judge what you do for a living and for whom
14 you do it and how you maintain your living?

15 A. I work as a consultant and technical advisor in the
16 field of local food, farmers markets, community engagement,
17 economic development as it relates to food enterprises. My
18 clients range from municipalities to regional athletic
19 councils. I am - the majority of my work is funded by
20 taxpayers either the federal government or state or local
21 either through grants that my clients have received or through
22 funds that they have at their disposal.

23 Q. When Mr. Barnas wrote you and asked you about how to
24 join and you responded. We just talked about that e-mail at
25 the end of his testimony. You described your work near the

1 end. Why did you do that in the e-mail to him?

2 A. I wanted to contact them because the e-mail also
3 went to a fairly new and temporary city manager and a new,
4 fairly new city attorney and for Mr. Barnas' benefit since he
5 was not on the commission when I was hired, the city of High
6 springs hired me in the year 2000 to develop and operate a
7 farmers market in the city within the city limits and I did so
8 for eight years.

9 During that time they also asked me to raise money
10 for a youth center that they were trying to save that was
11 being let go of. The operation was being let go by the Boys
12 and Girls Club of Gainesville, and I have worked in a capacity
13 of being -- I also wrote a grant for the farmers market that
14 developed a community garden and various different activities
15 around the downtown area. So I just kind of wanted to frame
16 my background with the city as it related to the city because
17 Mr. Barnas was contacting me in a professional and an official
18 capacity it appeared because he had copied also, I believe he
19 copied also the city manager and the city attorney in the
20 e-mail.

21 Q. Give the court the benefit - give me a project or
22 two that you're currently working on so she can have some idea
23 of what you do today?

24 A. Most recently I have been retained by the city of
25 Live Oak, the city redevelopment agency to reinvigorate their

1 downtown farmers market and to expand all local food, the
2 local food economy in Live Oak. That's one of my new
3 clients.

4 Q. What did you do in Broward County?

5 A. In Broward County I've been working for three years
6 on a federally funded project through the Broward Regional
7 Health Planning Council. It's a multi prong, two year, multi
8 million dollar project to create healthier communities through
9 smoking cessation, breast feeding, safe streets and active
10 living and access to healthy foods and I have been helping the
11 county develop the farmers markets and create a greater pool
12 of local growers in the community.

13 Q. Were you one of the people at the early set of
14 meetings for the foundation and formation of the Concerned
15 Citizens For A Better High Springs?

16 A. Yes, I was.

17 Q. Were you ever on the steering committee of that
18 organization?

19 A. No.

20 Q. Did the steering committee ever vary from, at least
21 during the period relevant to this complaint and election,
22 John Manley, Becky Johnson, Bob Jones and Linda Jones?

23 A. They were the four.

24 Q. Was the organization formed to oppose a ballot
25 referendum issued to limit debt in the city of High Springs?

1 A. No.

2 Q. Was it formed to expressly advocate the election of
3 Byran Williams?

4 A. No.

5 Q. Did the organization during the period of time from
6 its creation through the election expressly advocate for the
7 defeat of the ballot referendum issue to limit debt?

8 A. No.

9 Q. Did the organization ever expressly advocate for the
10 election of Byran Williams or against his opponent?

11 A. No.

12 Q. Did the organization ever, to your knowledge, ever
13 authorize any person to speak for the Concerned Citizens group
14 and expressly advocate either of those two points?

15 A. Absolutely not.

16 Q. Why not?

17 A. Why not?

18 Q. Yes.

19 A. Because it was very important that we operated above
20 the fray. There was a lot of fray going on in the city of
21 High Springs. There was a lot of dissension. There was a lot
22 of unhappiness. There was a lot of mean spiritedness,
23 disrespect and cruel and unusual behavior throughout the
24 community including in City Hall and on the commission and we
25 had the opportunity to join the fray if we so chose, but the

1 whole reason that we got together was to find a calmer voice.
2 Kind of create a calmer voice to kind of move past all of the
3 bickering and move onto good policy. Having worked with
4 governments now for a long time, it was important, my belief
5 and my participation was for good government and that was
6 really the only reason I was in the room.

7 Q. Do you know if any individual members or supporters
8 of the Concerned Citizens group themselves supported Byran
9 Williams or anyone else in the election activity?

10 A. I think there were some that did actively support
11 him.

12 Q. Were there occasions when people would leave at the
13 end of the Concerned Citizens meeting and some of them would
14 go to another meeting which might be a political meeting for
15 some other group?

16 A. I have no idea. I did not participate.

17 Q. How big is the High Springs community?

18 A. I think including outer limits and stuff I would say
19 5, 6, 7000 people. Voters I think there's around 3000, 3500
20 voters.

21 MR. REGENSDORF: That's all I have. Thank you.

22 ALJ: Cross.

23 MR. LITTLE: I'll take her on my case, Your Honor.

24 ALJ: Okay. Anybody else?

25 MR. REGENSDORF: That's it. If it's not in evidence

1 already, I would like to move it into evidence. I'm not
2 suggesting any other material. If there is something
3 sitting there as an identification document, I would move
4 it into evidence so as not to not move it in.

5 ALJ: That's pretty darn vague for me.

6 MR. REGENSDORF: I approximately. I don't have a
7 list of ID exhibits. Some were taken by you as ID
8 exhibits and some, I think, were taken by you as exhibits
9 and I apologize.

10 ALJ: The ID exhibits besides the poster pictures
11 which is 10 I've ruled on. The other ID exhibits were
12 the files relating to those other --

13 MR. REGENSDORF: Petitions?

14 ALJ: Yes. And I haven't changed my mind on those
15 either.

16 MR. REGENSDORF: Have you ruled on those?

17 ALJ: No, but I will. They're not relevant.
18 They will stay for identification at this point.

19 MR. REGENSDORF: Okay. I'm not agreeing with you.
20 I don't want that to --

21 ALJ: No.

22 MR. REGENSDORF: I would have wanted an opportunity
23 to argue more formally or submit something to you, but I
24 hear what you're saying. We'll proceed.

25 ALJ: Anything else?

1 MR. REGENSDORF: No, ma'am.

2 ALJ: You rest?

3 MR. REGENSDORF: I rest.

4 ALJ: Your turn.

5 MR. LITTLE: Your Honor, Mr. Barnas moves for a
6 directed verdict on the grounds that no evidence has been
7 presented to establish that he had any intent whatsoever
8 to damage Ms. Yeago's reputation. There is certainly no
9 evidence that he had a malicious intent however you
10 define that term whether it's a bad motive, a desire to
11 hurt. It's simply absolutely missing from the testimony
12 that has been given.

13 ALJ: Let me just stop you because there is case law
14 under Chapter 120 that basically says we don't do
15 directed verdicts.

16 MR. LITTLE: Okay.

17 ALJ: So don't go too in depth.

18 MR. REGENSDORF: I will save my response for a
19 written response until later.

20 ALJ: There's a specific case on it and I cannot
21 think of the name of it.

22 MR. LITTLE: All right. If that's the ruling,
23 that's the ruling.

24 ALJ: That is from the First DCA itself.

25 MR. LITTLE: Okay. I'll call Sharon Yeago.

1 ALJ: Ms. Yeago, you have previously sworn.

2 SHARON YEAGO RECALLED

3 DIRECT EXAMINATION

4 BY MR. LITTLE:

5 Q. Ms. Yeago, how long have you known Bob Barnas?

6 A. Gosh, I don't know. I'm sure it's been at least
7 five or six years. I'm not sure how long.

8 Q. Are you personal friends in the common sense of that
9 word?

10 A. No.

11 Q. Acquaintances?

12 A. We know each other. I don't know where he lives.
13 He doesn't know where I live. We don't have each others phone
14 numbers that I know of.

15 Q. In those five or six years have you ever had any
16 harsh exchange of words with Mr. Barnas?

17 A. Directly, no.

18 Q. Have you ever had an angry argument with
19 Mr. Barnas?

20 A. No.

21 Q. You had an occasion to speak or have you had
22 occasion to speak with Mr. Barnas after he filed the FEC
23 complaint?

24 A. Not a real conversation, no.

25 Q. There was something in the nature of an informal

1 mediation, wasn't there?

2 A. Right. And Sue Weller who was our go between --

3 MR. REGENSDORF: Hold on. I didn't get into that
4 because it was an informal thing. I had nothing to do
5 with it, but mediations are by definition confidential
6 and should not go before the trier of fact so whatever it
7 was --

8 MR. LITTLE: Will you wait until I ask my question?

9 MR. REGENSDORF: If it's got the word mediation --
10 Well --

11 ALJ: Well, I think he's just --

12 MR. REGENSDORF: I'm really trying to stop - to
13 close the barn door before it gets open, that's all.

14 ALJ: Wait for the question.

15 MR. REGENSDORF: I have no idea what you're going to
16 ask.

17 MR. LITTLE: Wait for the question.

18 ALJ: Wait for the question.

19 MR. LITTLE: He did a lot of talking this morning
20 and I didn't say a word.

21 MR. REGENSDORF: That's not quite true either but...

22 ALJ: Go ahead.

23 BY MR. LITTLE:

24 Q. All right. In that occasion you saw Mr. Barnas and
25 spoke to him, didn't you?

1 A. Briefly.

2 MR. REGENSDORF: Hold it. We are getting into what
3 happened in the mediation. That is absolutely
4 inadmissible and since I wasn't there and I don't know
5 what happened --

6 ALJ: Your objection is overruled. Move on.

7 BY MR. LITTLE:

8 Q. It was cordial, was it not?

9 A. It was cordial.

10 Q. So apart from whatever tension there might be in
11 this proceeding, there's never been any unpleasantness between
12 you and Mr. Barnas?

13 A. Personally?

14 Q. Yes.

15 A. Personally, no.

16 Q. Apart from this complaint, do you have any evidence
17 that Mr. Barnas has or had any desire to injure your
18 reputation?

19 A. Other than what's transpired?

20 Q. Yes, in this complaint?

21 A. For me personally I don't.

22 Q. He's never hindered you in your efforts to get a
23 contract with anybody, has he?

24 A. He's never been in a position to.

25 Q. Okay. And he's never done anything to interfere

1 with your performance of your job or your business, has he?

2 A. He's never had an opportunity to.

3 Q. And in your family matters, he's never interfered
4 with your family, has he?

5 A. He's never had an opportunity to.

6 Q. Or any other way, has he?

7 A. I have made sure that he's never had an opportunity
8 to.

9 Q. What do you mean by that?

10 A. I have kept my distance.

11 Q. Okay. Are you afraid of him?

12 A. The word afraid, no.

13 Q. No.

14 A. Not the word afraid.

15 Q. Now, on December the 5th you sent Barnas the e-mail
16 that you testified about a while ago; is that correct?

17 A. Yes.

18 Q. And in that situation, in that e-mail you stated
19 that you were the spokesperson for the organization?

20 A. At that time, yes.

21 Q. And I think your counsel has indicated that there
22 had been an earlier publication or a notice or a report in the
23 paper to that effect?

24 A. Correct.

25 Q. When was the Concerned Citizens first organized, do

1 you know the date?

2 A. I think, and the reason I would know this is because
3 I believe on our Facebook page it was September 28th, 2012, I
4 believe was the date that we officially, I believe, I might be
5 wrong, that we officially decided to form the group and make
6 something public and started the Facebook page.

7 Q. You say we. Whom are you speaking about?

8 A. There was a group of individuals. This was just a
9 group of people who got together who said what can we do and
10 it was actually, I believe there were several discussions
11 about how to move forward, how to move the city forward
12 because of all of the difficulties.

13 Q. Can you name some of the other people that were in
14 that group?

15 A. Gosh --

16 Q. We know the four.

17 A. Right. Right.

18 Q. Was Mr. Regensdorf in that group?

19 A. He was on occasion when he was in town.

20 Q. And Lucy, I think?

21 A. On occasion when she wasn't also otherwise detained
22 from work or whatever. I think Tom and Linda Hewlitt were
23 there a few times. Ed McKennon was there and I think his name
24 has been mentioned. Let's see. Some of the people I didn't
25 know well and it changed from time to time. Different people

1 came at different times because we were just getting together
2 to talk. It was kind of like at the beginning it was just get
3 together and just talk about what can we do. What can we do.
4 But there could have been 10 or 20 people at one time in a
5 room.

6 Q. Wasn't one of the driving forces the criticism of
7 the proposal to limit the borrowing power of the city?

8 A. That discussion was really much later. The driving
9 force was the extreme unhappiness of our employees, the rant
10 and raves that were going on when the commission was meeting
11 both on the dais and off the dais. It was just very
12 uncivilized and that was really the driving force.

13 Q. One of the things you wanted to do was to elect
14 different commissioners, wasn't it?

15 A. What we wanted to do was return civility to City
16 Hall.

17 MR. LITTLE: Let me hand you this document which,
18 Your Honor, I'm not sure which one this one is. I'll
19 offer it as Barnas 2.

20 MR. REGENSDORF: It's repetitive.

21 MR. LITTLE: It is repetitive.

22 MR. REGENSDORF: I have no problem.

23 ALJ: I get repetitive exhibits all the time.
24 Barnas 2.

25 MR. BARNAS: These aren't 19 and 20?

1 MR. REGENSDORF: No. We have moved
2 seamlessly into your case.

3 ALJ: That's your number 2.

4 BY MR. LITTLE:

5 Q. Okay. Do you recognize this document?

6 A. Yes, very much.

7 Q. Do you know who authored it?

8 A. I'm the primary producer of this document in the
9 sense that I typed it, I edited it, I re-edited it. It was a
10 group effort, but I am the producer of this document, and all
11 of the other documents that you see that have the mission
12 statement attached to it.

13 Q. Do you have an idea about when this was initially
14 typed and produced?

15 A. This was a much later document. We started out with
16 the mission statement which is the paragraph and so we came up
17 with the mission statement and then we came up with the four
18 guiding principles which were the four main things that we
19 wanted to start our discussions around and kind of craft from
20 there so this came much later.

21 Q. This came much later?

22 A. Yes.

23 Q. And who was it that proposed item 5?

24 A. I have no idea. What happened, the process was that
25 people sent e-mails to me with ideas and some of them were

1 very, very badly written and I would take those concepts and
2 put them into sections and that's pretty much how that
3 happened and how all of this happened and then we refined and
4 then I would come up with a draft that would start looking, a
5 clean draft and then I would send it out.

6 Q. And the group would approve it?

7 A. The group would come up with ideas or approve it or
8 not approve it or say I don't like that or I want to say it
9 differently.

10 Q. Do you recognize this as the sheet that was being
11 handed out at the Women's Center on October the 23rd, I
12 think?

13 A. Are you talking about the fall festival?

14 Q. I don't know about the fall festival.

15 A. I don't know about the one at the Women's Center. I
16 don't know anything about that. I wasn't there.

17 Q. You weren't there when the sign up sheets were
18 there?

19 A. That was at the fall festival.

20 Q. City Hall?

21 A. Which is outside. Yes. In James Paul Park outside
22 City Hall. Yes. This may have been one of the documents.
23 This may have been produced by them, but I can't say for
24 sure.

25 Q. And this document or close facsimile to it including

1 the item 5 was posted or at least linked to your Facebook
2 page, wasn't it?

3 A. I believe so.

4 Q. Who put up your Facebook page?

5 A. Ross Ambrose developed that for us. He has
6 experience with that. He does it for other businesses in
7 town.

8 Q. As far as you know this document is still posted on
9 the link?

10 A. Nothing has been taken down.

11 Q. Yeah. Now, you are a person who deals with words
12 and you would agree, would you not, that any reasonable person
13 reading item 5 would come away from that as opposition to that
14 amendment, wouldn't you?

15 A. No.

16 Q. You would not. Well, how would you read it?

17 A. The way I read it and the way I, you know, edited
18 what I received was that the important words meaning -- I
19 think the intent was for people to understand that the
20 amendment created significant change, would have created
21 significant change, and that's what this is alluding to
22 drastically change and significantly limit. I think the, as I
23 recall, and I am not a voter in the city of High Springs
24 during this time frame. I have moved out of the city limits
25 into the country so I didn't vote during this election at

1 least in the city of High Springs, but it's my understanding
2 that the wording of the amendment was very specific and very
3 I don't want to say drastic, but it was a significant change
4 from the current standard in the way finances were handled for
5 the city of High Springs.

6 Q. The thing says in B, some say the cost of funds for
7 the city could rise drastically or dramatically?

8 A. Dramatically.

9 Q. Long range planning concerns were not considered by
10 the commission in any detail?

11 A. Mm-hmm.

12 Q. You don't read that as negative connotation?

13 A. Again concern. Serious concern for the wording in
14 the amendment.

15 Q. I think in your, either one of your response to the
16 petition or to the complaint or your petition for fees you
17 refer to the statement at the bottom of the page as a
18 disclaimer?

19 A. I believe you have called that as a disclaimer. I
20 might call it a credit line. If you want to call it a
21 disclaimer.

22 MR. LITTLE: I would like to hand you another. This
23 will Barnes 3.

24 ALJ: 2.

25 MR. REGENSDORF: That's 3.

1 ALJ: Yes. Barnas 3.

2 MR. REGENSDORF: It looks like Barnas 2.

3 MR. LITTLE: Okay. That's 3. That's a copy for
4 you.

5 MR. REGENSDORF: I'm sorry. Before you jump in, do
6 you have a copy of Barnas 2 for me or not now that I see
7 we're going in serial changes. I can work off this. Is
8 this 2?

9 BY THE WITNESS:

10 A. Yes.

11 MR. REGENSDORF: Go ahead. I'm sorry, Joe.

12 BY MR. LITTLE:

13 Q. This appears on the Facebook, does it not?

14 A. It may. Again we are talking about the five areas
15 of principal concern?

16 Q. Yes.

17 A. It may. It may. I don't remember.

18 Q. Who put up the Facebook, do you know?

19 A. Yes. I answered that before. It's Ross Ambrose.

20 Q. Okay. You did. I'm sorry.

21 A. That's okay. He created the page for us.

22 Q. All right. And did he put this up there, then you
23 gave it to him to do it?

24 A. Yes. I am the keeper of the documents, of these
25 kind of documents anyway.

1 Q. Take a look at what I'm referring to as the
2 disclaimer at the bottom of the page?

3 A. Sure.

4 Q. And we have the statement Concerned Citizens For A
5 Better High Springs is non partisan, non political grassroots
6 citizens group and pursuant to Florida Stat Section 106.011 it
7 does not qualify as either a political committee or so
8 forth?

9 A. Yes.

10 Q. If you look at the statement on the bottom of the
11 first document it's different? It doesn't have that?

12 A. We did update it. That is correct. It was
13 amended.

14 Q. Why did you do that?

15 A. I don't remember the exact reason.

16 MR. REGENSDORF: That's the same one you're looking
17 at. This is the earlier one.

18 BY THE WITNESS:

19 A. Okay. Just a second. The amendment, exhibit 2
20 seems to be worded more for - perhaps this may have been used
21 as a handout because it's worded more of continues to seek
22 local residents, business owners, and others. So this seems
23 more of a promotional tag line as an instruction on how to
24 join up if you want or find out more information, whereas I
25 believe in exhibit 3 it's more of an official, you know, this

1 is who we are and who we are not.

2 BY MR. LITTLE:

3 Q. Why did you put that tag line on there?

4 A. Well, before we decided to get together, we had a
5 very long and heart to heart discussion about what we would
6 become and what we wouldn't become.

7 Q. How did you know about chapter 106.011?

8 A. I don't know who brought that to my attention, but
9 it might have been Mr. Regensdorf, but I'm not sure. Then I
10 looked the law up myself and read the statutes very
11 carefully.

12 Q. And you decided that you wanted to operate in such
13 a way as to avoid having to comply with those requirements?

14 A. No.

15 Q. By avoid I don't mean illegally avoid. I mean,
16 legally avoid having to comply with those provisions?

17 A. Speaking for myself, absolutely not. That's not the
18 point. The point is that I personally because of the work I
19 do would not and could not become part of a political group
20 and so if this group was to move forward and I was to be
21 a part of it, it had to be a non political entity, a non
22 partisan entity for me to be involved personally and so that
23 was my thinking when I created the disclaimer as you call it.

24 Q. So you created the disclaimer with somebody maybe
25 Mr. Regensdorf's advice?

1 A. Yes.

2 Q. It wasn't the group creating this?

3 A. It group came up with the concept. We agreed on the
4 concept that we would be non political, non partisan and then
5 I came up with the disclaimer again remembering that the
6 environment at that point with the city was highly charged,
7 highly negative, and highly abusive in many ways and so I felt
8 that clarity was definitely called for.

9 Q. Okay.

10 MR. REGENSDORF: Excuse me, Joe. It's my fault.
11 One of the two disclaimers has Florida Statute 106.011.
12 Is that 2 or 3? Because I have got numbers screwed up.

13 MR. LITTLE: I'm sorry.

14 MR. REGENSDORF: Whatever one you're looking at.

15 ALJ: Barnas 3 has the 106. --

16 MR. LITTLE: Barnas 3 has it right.

17 MR. REGENSDORF: Thank you very much. Thank you
18 very much.

19 BY MR. LITTLE:

20 Q. What did you do when you received a copy of the FEC
21 complaint?

22 MR. REGENSDORF: I'll just caution you on
23 attorney/client privilege, but short of that any
24 substantive discussions we're not going to get into.

25 BY THE WITNESS:

1 A. I went, wow. You know, what the, you know, what is
2 this? I was pretty surprised.

3 BY MR. LITTLE:

4 Q. And what did you do?

5 A. I freaked out a little bit. Looked at it and then I
6 advised the steering committee what had happened and I advised
7 Paul and a few other folks, too.

8 Q. Okay.

9 A. The problem was I think I was leaving town the day
10 that it arrived or the next day or something so I was gone out
11 of town for like a week afterwards.

12 Q. So Mr. Regensdorf had been involved throughout with
13 the Concerned Citizens?

14 A. Yes.

15 Q. And apparently he had given some consultation about
16 legal matters from what you said before?

17 A. Only on advising on Florida Statutes as far as the
18 Election Commission and things like that.

19 Q. So you think you went to see him when you got the
20 complaint?

21 A. No. I, you know, I don't recall. I think at some
22 point I got a copy to Paul so he could look at it before I
23 left town and that's as far as it got because I was traveling
24 for work and I was very busy and didn't have a lot of time to
25 talk about until I got back.

1 Q. When did you actually employ him? I ask that
2 question because the copy that I have and I'm not sure about
3 the one in evidence doesn't have your signature on it.

4 A. I don't remember. I don't remember. I think it was
5 in discussion for a little while and it was -- First of all, I
6 had a heart to heart -- Well, I had - I called Ms. Malphurs at
7 the Elections Commission and got some information from her,
8 kind of fact finding on what my options were and what does
9 this mean and, you know, what is the standard. What is the
10 precedent for this kind of a complaint and, you know, I was
11 very upset about it. And I don't remember exactly when we
12 started discussions of what the response would be. Again I
13 was out of town for a week so I had a good chance to think
14 about it. I got back. Talked to Mrs. Malphurs and started
15 thinking about what my strategy should be in response and then
16 started talking to the steering committee and to Paul and a
17 few others. It was a confidential. That's the other thing.
18 It was a confidential matter so I really couldn't talk to too
19 many people about it. I didn't feel that I had the luxury of
20 making it public.

21 Q. I think you indicated when you first got this thing
22 you were surprised?

23 A. Yes.

24 Q. Maybe even shocked; is that correct?

25 A. Yes, I think so.

1 Q. So you had no prior knowledge that something like
2 this was about to happen; is that correct?

3 A. I had no prior knowledge that this was going to
4 happen. Obviously as Mr. Regensdorf has alluded, Mr. Barnas
5 has a history of filing complaints against people and most of
6 them are dismissed so once I got it, I just thought, oh, I'm
7 next on the list. That's basically how I felt.

8 Q. My question was before you got it?

9 A. Right. Right. Well, no. I didn't personally
10 expect that I would receive this.

11 Q. Now, this was well after the election, was it not?

12 A. April Fools Day. That's right. It was signed. He
13 submitted it on April Fools Day.

14 Q. That's not the day you received it though?

15 A. No. Eight days later. Six days. Something like
16 that.

17 Q. You got a copy, I guess, from the Florida Elections
18 Commission?

19 A. Correct. I got a registered package. Certified
20 mail or something like that, yes.

21 Q. From the Florida elections Commission?

22 A. Yes.

23 Q. Are you familiar with Mr. Barnas' post, his website
24 and things on that site?

25 A. Yes, on occasion.

1 Q. He never put on his website that he was filing
2 against you, did he? You never saw anything like that, did
3 you?

4 A. I did see the post where he alluded, the April Fools
5 post where he said, oh, I put something in the mail today, you
6 know, and he picked the date. Something alluded to the fact
7 that he picked that day to file the complaint.

8 Q. But he didn't say anything about Sharon Yeago?

9 A. No. That would have been against the law.

10 Q. Well, he didn't say anything about Sharon Yeago?

11 A. That's right.

12 Q. Now, what part did you play in putting together the
13 response to the complaint?

14 MR. REGENSDORF: I think we're getting into
15 attorney/client privilege here. It was submitted on her
16 behalf. What part she played, what part I played
17 obviously by resolution whatever she didn't play, I
18 played and vice versa. I object. Attorney/client
19 privilege.

20 ALJ: You're going to have to walk a real fine line
21 here.

22 BY MR. LITTLE:

23 Q. Well, did you provide the copies of documents and
24 whatnot that were included in the response?

25 A. The documents --

1 MR. REGENSDORF: Hold on. I am not waiving whatever
2 privilege there is. It's both work product and
3 attorney/client privilege, but I'm not against
4 ministerial things if they have some important relevance
5 in the case, but that sort of detail, what did you give
6 to your lawyer, what did your lawyer give back to you is
7 privileged and it's not to come into a proceeding.

8 ALJ: Sustained.

9 MR. LITTLE: I didn't ask her what -- But anyway,
10 the question -- Let's see. May we take a moment, Your
11 Honor?

12 ALJ: Sure.

13 (Short recess.)

14 ALJ: Back on the record. Go ahead.

15 BY MR. LITTLE:

16 Q. Did you meet with the steering committee --

17 A. Yes.

18 Q. -- about this matter? Who was there?

19 A. Did I meet with the steering committee about this
20 matter? Gosh, I don't remember. I think initially because I
21 read that - I read it thoroughly and I read that it was
22 privileged. I was scared to talk to too many people so I
23 don't remember when they --

24 Q. Who did you talk to that you remember?

25 A. I think I probably talked to Paul Regensdorf, I

1 think, because of it being an illegal complaint and being a
2 confidential matter until I waived which I wasn't going to do,
3 I really was not privy, allowed to talk -- I didn't feel like,
4 you know, this is before I got legal counsel, I didn't feel
5 like I was able to talk to anybody about it. I was very, very
6 concerned about who I would talk to.

7 Q. And up until now whom have you talked to about it?

8 A. Not too many people. A few people. We met with the
9 steering committee prior to filing for attorney's fees once it
10 was public. Once it was already determined insufficient
11 complaint, then it wasn't private anymore and just a few, very
12 few. It's not really something that I have been publicizing
13 especially with the work I do. It's not something that I
14 would want one of my clients to find out about necessarily.
15 They might have some concerns. So I have been keeping it on
16 the low down for the most part.

17 Q. When you met with the steering committee, was that
18 the first time that the members were aware that the petition
19 had been filed?

20 A. I don't know. I don't know.

21 MR. LITTLE: I have no more questions.

22 MR. REGENSDORF: I have a couple of quick
23 questions.

24 ALJ: All right.

25

CROSS EXAMINATION

1 BY MR. REGENSDORF:

2 Q. Mr. Little asked you if before April of 2013 you had
3 had a history of harsh words with Mr. Barnas and I think you
4 said not that you can recall. Did that just add to the
5 surprise or shock when you saw that you were charged with
6 violation of five different crimes or five different
7 statutes?

8 A. Yes. I was pretty stunned. Yeah, I was stunned
9 that I was singled out. Especially that I was singled out.

10 Q. Without waiving my objection to the mediation, but
11 it was overruled and therefore I feel I have to ask. You met
12 with Mr. Barnas in some effort to resolve this matter,
13 correct?

14 A. Yes.

15 Q. And at that time you were asked by Mr. Little if the
16 words were cordial, correct?

17 A. Yes.

18 Q. You said they were?

19 A. Yes.

20 Q. At that time you had already succeeded in
21 establishing that Mr. Barnas' complaint against you was
22 legally insufficient, correct?

23 A. Correct.

24 Q. And you were in the process of trying to go after
25 Mr. Barnas as you felt was your right for fees because of the

1 wrongful complaint that had been filed against you, correct?

2 A. Correct.

3 Q. One of the four people on the steering committee was
4 herself a person who declared that she was to the right of the
5 tea party, correct?

6 A. Correct.

7 Q. Talk about limiting government, there was probably
8 nobody in that room that cared less about giving any power to
9 government, correct?

10 A. Correct.

11 Q. So is it fair to say that when you did discuss
12 individual political matters there was wide disagreement on
13 topics among the group?

14 MR. LITTLE: Object to this line of questioning,
15 Your Honor.

16 ALJ: Sustained.

17 BY MR. REGENSDORF:

18 Q. You were asked about the two versions. I think it's
19 Barnas 2 and Barnas 3 which change only a portion of the
20 bottom sentence or two called a disclaimer. The first one you
21 describe as promotional, more promotional. The second one
22 more professional. Was there concern at the time the second
23 disclaimer was written and accepted that the group wanted to
24 ensure that it would not be the subject of a complaint such as
25 you had found yourself facing?

1 A. Correct.

2 Q. So when you said stay above the fray, it was that
3 sort of a fray?

4 A. Absolutely.

5 MR. REGENSDORF: That's all I have. Thank you.

6 REDIRECT EXAMINATION

7 BY MR. LITTLE:

8 Q. Wouldn't you agree, Ms. Yeago, that by putting that
9 on there that you might cause people who wonder why haven't
10 you filed? Why haven't you become a political committee?

11 A. Well, I think that's a very good question and the
12 thing is is that all you had to do was ask and we would tell
13 you why because we did not want to become part of the problem.
14 We wanted to help find a solution.

15 Q. When you say that's a good question, then you're
16 saying yes, that's correct?

17 A. Mm-hmm.

18 Q. That a reasonable person would ask that question?

19 A. I would hope that they would ask it to us directly
20 instead of going to the Florida Elections Commission.

21 Q. I understand. Now, Mr. Regensdorf asked you about
22 going after Mr. Barnas, did he not?

23 A. Going after?

24 Q. I think that was the exact term he used.

25 A. Going after Mr. Barnas for what?

1 Q. For fees.

2 A. Oh.

3 Q. My question is this: You have absolutely nothing
4 economically at stake in this proceeding, do you?

5 A. I wouldn't say that.

6 Q. Okay. What do you have at stake in this
7 proceeding?

8 A. My professional reputation.

9 Q. No. In this fee proceeding.

10 A. Well, maybe not so much, but I -- I'm glad we have
11 done it. I think it's - I think that bringing out the facts,
12 the true facts has been very important and if this process -
13 if this is the process to go through to do that, then so be
14 it.

15 Q. Well, is it your desire to punish Mr. Barnas?

16 A. No.

17 Q. Okay. So the desire is something else?

18 A. I think that going, continually going unchallenged
19 has proven to be a habit for Mr. Barnas and I think that by
20 him not getting away with another complaint has hopefully
21 taught everybody a lesson.

22 Q. So you are trying to teach him a lesson?

23 A. I definitely would like to see Mr. Barnas, you know,
24 be a little bit more prudent in his accusations.

25 Q. And so you do agree that if the law provides relief

1 for what somebody thinks is illegal behavior, that it's
2 acceptable that a person attempt that relief?

3 A. In certain cases.

4 Q. In certain cases?

5 A. Certainly.

6 Q. And you think in your case it was okay to file the
7 petition for fees against Mr. Barnas?

8 A. I think it is, yes.

9 Q. Because you think that what he did was in violation
10 of the statute?

11 A. At least.

12 Q. Okay.

13 A. As a sitting commissioner I would say at least.

14 MR. LITTLE: Okay. I have no further questions,
15 Your Honor.

16 ALJ: Okay. Who is next?

17 MR. LITTLE: Mr. Barnas.

18 ALJ: Okay. You've been previously sworn, sir.

19 MR. LITTLE: Okay. I'm going to try to, Your Honor,
20 avoid, if I may, all of the introductory questions that
21 were asked of him earlier. I'm sure you will agree with
22 this.

23 ALJ: Yes.

24

25

1 ROBERT BARNAS RECALLED

2 DIRECT EXAMINATION

3 BY MR. LITTLE:

4 Q. How long have you known Sharon Yeago?

5 A. Probably mid 2000s, mid to late.

6 Q. Since then, is that your testimony?

7 A. Yes.

8 Q. Are you and she personal friends?

9 A. No.

10 Q. Do you understand she is seeking attorney's fees
11 award against you in this particular proceeding?

12 A. Yes.

13 Q. Do you now harbor any personal animosity against Ms.
14 Yeago?

15 A. No.

16 Q. Have you ever?

17 A. No.

18 Q. Have you ever had an exchange of harsh words with
19 her?

20 A. No.

21 Q. Have you ever had an angry argument with her?

22 A. No.

23 Q. Did you have an occasion to speak with her after
24 your complaint was dismissed?

25 A. This complaint?

1 Q. The complaint that you filed was dismissed. What
2 I'm asking is did you have an occasion to speak with her
3 between then and now?

4 A. Only at cordial passing and at a discussion to
5 mediate this out.

6 Q. Have you ever had any exchange with her that was not
7 cordial and respectful?

8 A. No.

9 Q. Do you have any intent or desire to harm Ms. Yeago's
10 reputation?

11 A. No.

12 Q. Have you ever had any such intent?

13 A. No.

14 Q. Have you ever opposed any effort that Ms. Yeago may
15 have made to obtain public office or to get a contract with
16 the city or to obtain some position or recognition?

17 A. I don't think I was ever in that position, but my
18 answer would be no.

19 Q. You're answer is what?

20 A. No.

21 MR. REGENSDORF: It was the right answer. Don't
22 worry.

23 BY MR. LITTLE:

24 Q. Have you ever taken any action or made any
25 statements to injure Ms. Yeago at her job or her business?

1 A. No.

2 Q. In her family matters?

3 A. No.

4 Q. In any other matter?

5 A. Nope. No.

6 Q. When you filed the FEC petition naming her as the
7 named person, did you then intend to hurt her reputation?

8 A. That was not my intent, no.

9 Q. As a member of the High Springs City Commission, did
10 you propose or support an amendment to the charter to limit
11 the authority of the city to borrow money?

12 A. I believe it was my agenda item to limit the debt of
13 the city, the borrowing limits of the city.

14 Q. When was this proposal considered by the
15 commission?

16 A. I think it would have been mid 2012. It started
17 being talked about in June or July.

18 Q. Were you for or against the amendment?

19 A. I was for it. I supported it.

20 Q. Was there public obligation?

21 A. Public?

22 Q. I'm sorry. Opposition?

23 A. There was people that spoke at commission meetings
24 for and against it.

25 Q. Do you know whether Ms. Yeago was for or against

1 it?

2 A. I don't know. I don't recall her ever being at a
3 meeting saying something about it.

4 Q. Do you remember whether Mr. Regensdorf was for or
5 against it?

6 A. Well, against it, yes.

7 Q. How do you know that?

8 A. He spoke out at meetings. Absolutely didn't like it
9 and he sent e-mails out saying vote no on the ballot issue
10 that I was copied on and were sent to many people including
11 Sharon Yeago and the spokesperson for Sharon Yeago.

12 MR LITTLE: Let me hand you something that we'll
13 offer as Barnas 4.

14 ALJ: Yes.

15 BY MR. LITTLE:

16 Q. Hang onto it. I want you to look at it. Can you
17 identify it?

18 A. This is not an e-mail. This was a --

19 Q. What is it?

20 A. This was a Friend's Post. This was put on a
21 Friend's Post in a different -- This was put on a local blog
22 or website called Friend's Post.

23 ALJ: Oh, that's the name of it.

24 BY THE WITNESS:

25 A. Yes.

1 BY MR. LITTLE:

2 Q. Who posted it?

3 MR. LITTLE: I'm offering this as 4, Your Honor.

4 BY THE WITNESS:

5 A. That was posted. The name on the bottom left is
6 Paul Regensdorf.

7 Q. And you see right above the bottom there is
8 underlined bolded statements. Do you see them?

9 A. Yes, sir.

10 Q. What do they say?

11 A. So don't forget to vote today. Vote against the
12 proposed charter amendment. Vote no and vote for Byran
13 Williams and take your neighbors and friends to the polls as
14 well.

15 MR. LITTLE: Okay. Let me show you this item which
16 we'll call Barnas 5, is it?

17 MR. REGENSDORF: Correct. What's that?

18 MR. LITTLE: I'll need to borrow that back. No. I
19 can take the Judge's copy.

20 BY MR. LITTLE:

21 Q. What is this document I have just handed you?

22 A. It's an e-mail trail that I was copied on and also
23 has concerning an e-mail I sent to Paul Regensdorf, I would
24 say his partner or senior partner and it was implied that it
25 went out on November 5th the day before the election and came

1 back -- I'm sorry. Take that back. Take that back. Looking
2 at the dates it was between October 31st and November 5th
3 before the election, an e-mail trail. It's hard to read it
4 because it's backwards.

5 Q. All right. The e-mail that you were responding to
6 was sent by whom?

7 A. Paul Regensdorf.

8 Q. And whom was it sent to?

9 A. It was sent to me and somewhere near fifty other
10 people including Sharon Yeago, the first person on the to list
11 on October 31st.

12 Q. What was it about this e-mail that attracted your
13 attention? I ask you to look at the last page in bolded
14 underlined language capitalized.

15 A. Well, it was another one of those.

16 Q. Let me read it and ask you if this appears there.
17 So despite this wonderful preliminary victory for good and
18 better government in High Springs, it is for now only that
19 preliminary so it is essential that you go to the polls on the
20 6th of November, [or early vote by Saturday] go down to the
21 end of the ballot, vote no on the charter amendment and vote
22 for Byran Williams for commissioner.

23 It says that, doesn't it?

24 A. It says that. This was -- Yes. Now I remember what
25 this was. This was in a post to what the ruling was by Judge

1 Griffis as a victory by them or a victory by us for the
2 challenge in courts against the ballot issue.

3 Q. These exhibits indicate to you that Mr. Regensdorf
4 or do they indicate to you that Mr. Regensdorf was against the
5 charter amendment?

6 ALJ: Why is Mr. Regensdorf's opinion relevant in
7 this proceeding?

8 MR. LITTLE: Because, Your Honor, he was a member of
9 the Concerned Citizens For A Better High Springs.

10 ALJ: Okay. He's not here asking for attorney's
11 fees except to be paid. He's asking on behalf of what
12 happened to Ms. Yeago.

13 MR. LITTLE: What we are trying to establish, Your
14 Honor, is that Mr. Barnas had a reasonable basis to
15 believe that the group was supporting the defeat of that
16 referendum and also the election of Mr. Byran Williams.

17 MR. REGENSDORF: Well, I'll object. It's not
18 relevant. I didn't say anything about all of this stuff.
19 It's got nothing to do with the actions of one person
20 does not impute to an entity unless there is something
21 that ties the two together so I object. Lack of
22 relevance. Move to strike them both.

23 MR. LITTLE: Well, Your Honor, we are not finished
24 here.

25 ALJ: I'll give you a little more leeway, but right

1 now I'm not real clear on why Mr. Regensdorf's political
2 opinions are relevant in this.

3 MR. LITTLE: Your Honor, what we are attempting to
4 establish here is Mr. Barnas' mind set.

5 ALJ: I understand that.

6 MR. LITTLE: And what he was thinking at the time he
7 filed this petition. He came to a conclusion and this is
8 established in his complaint that this organization was
9 opposing the ballot amendment and was also supporting the
10 election of Byran Williams. This is evidence that he
11 used to come to his conclusion. Maybe his conclusion was
12 faulty, but it shows what he was basing his
13 considerations upon and it has to do with his mind set.

14 ALJ: I understand that, but you're telling me your
15 client based his mind set on what somebody else thought
16 that he did not name in an ethics complaint and imputing
17 that to Ms. Yeago?

18 MR. LITTLE: I'm telling you, Your Honor --

19 ALJ: I'm going to give you a little leeway.

20 MR. LITTLE: All right. All right. Okay.

21 BY MR. LITTLE:

22 Q. Did the commission, going back to the city
23 commission now, officially adopt a proposal to put the
24 proposed amendment limiting borrowing capacity on the 2012
25 general election ballot?

1 A. Yes, we did put it out.

2 Q. Were there any other issues on the ballot?

3 A. The election of Byran Williams and running against
4 Pat Rush and there was another pair running, but it was, one
5 of them backed out so it was the election of Byran Williams or
6 Pat Rush and the ballot amendment.

7 Q. Now, are you aware of an organization that goes by
8 the name of Concerned Citizens For A Better High Springs?

9 A. Yes, I am.

10 Q. When did you learn of its existence?

11 A. The first time I saw anything about them was - saw
12 anything was about a Facebook post in mid September. I had
13 heard about the possibility of a group before that, but I had
14 no idea what was being referred to so early mid September.

15 MR. LITTLE: May I, Your Honor.

16 ALJ: Go ahead.

17 MR. LITTLE: Is this exhibit 2, the Facebook post?

18 MR. REGENSDORF: Barnas 2.

19 MR. LITTLE: Barnas 2.

20 BY THE WITNESS:

21 A. This was a later one that was there, but that was
22 not the first thing that I saw in Facebook. I don't think we
23 made copies of what we first saw.

24 BY MR. LITTLE:

25 Q. Is this Barnas 3 the Facebook post?

1 A. That's one of them. Again it's one of them that
2 came up. This one I believe was the one that I saw October
3 23rd at the women's candidate forum where issues were being
4 discussed.

5 Q. That's B3?

6 A. B3.

7 Q. What date was that?

8 A. October 23rd. And then the other one --

9 Q. B4.

10 A. -- was the one that I believe was on October 10th --

11 Q. Okay.

12 A. -- on Facebook. That was the one October 10th.
13 That was a link on Facebook. It said to see our five key
14 principles click here. Then they also had them written down
15 in another place on Facebook and that's the one that said
16 therefore we believe and they wrote what they said and said
17 earlier about not liking the ballot amendment we were putting
18 out there.

19 Q. Did you see this newspaper story on 8 October?

20 A. This was in the newspaper.

21 MR. REGENSDORF: Is that the one in his complaint?

22 I believe it is.

23 MR. LITTLE: Yes, I think it is.

24 MR. REGENSDORF: Yes, I have it.

25 MR. LITTLE: We are going to call this B5.

1 ALJ: Barnas 5.

2 MR. REGENSDORF: That's the October 8th Alachua
3 Today.

4 MR. LITTLE: Yes. I think it's Alachua County
5 Today.

6 MR. REGENSDORF: That's what I thought.

7 BY THE WITNESS:

8 A. We corrected that. This was the online version of
9 the newspaper article that came out in the Alachua Today or
10 Alachua County Today and where they had said they were looking
11 for and interested in people to join supporting good policies
12 and decisions by the city government and what was an
13 interesting comment in there is that we have problems that may
14 take five to ten years to resolve.

15 BY MR. LITTLE:

16 Q. Did you learn of the names of the members of the
17 Concerned Citizens at that time or some time shortly after
18 that?

19 A. I had seen posts on Facebook. I had also earlier in
20 October and then the newspaper came out on November 1st the
21 week before the election and all the names were posted in the
22 newspaper article and the comment go all the way to the end of
23 ballot and the people that we had referred to was in that.

24 MR. LITTLE: Let me show you this document which
25 we'll offer as Barnas --

1 ALJ: 7.

2 MR. LITTLE: -- 7.

3 BY THE WITNESS:

4 A. That was November 1st and they refer to going down
5 all the way to the end of the ballot where the --

6 BY MR. LITTLE:

7 Q. My question was did you learn the names of the --

8 A. Yes. I saw all the names on there.

9 Q. Is Ms. Yeago's name on there?

10 A. Sharon Yeago's name is here.

11 Q. Is Mr. Regensdorf's name on there?

12 A. Paul Regensdorf's name is here.

13 Q. Okay.

14 MR. REGENSDORF: Judge, I don't have a 6. I must
15 have missed it. I have taken on the scrivener role and I
16 failed. Is that the --

17 ALJ: Barnas 6 was the Alachua County Today.

18 MR. REGENSDORF: That's number 5.

19 ALJ: I have Barnas exhibit 5 is the e-mail trail.

20 MR. REGENSDORF: I have that for exhibit 4, but I
21 could be wrong. Oh, I'm sorry.

22 MR. LITTLE: Barnas 1 is the Friend's Post.

23 MR. REGENSDORF: Oh, okay. I see what it is. Maybe
24 I can clean it up. Number 5, Your Honor, I don't have it
25 written down is this document right here.

1 ALJ: Right.

2 MR. LITTLE: What do you have for 5?

3 MR. REGENSDORF: That is Barnas 5.

4 ALJ: E-mail trail which the witness was copied
5 on.

6 MR. REGENSDORF: Correct.

7 ALJ: Then the discussion was it's about a
8 lawsuit.

9 MR. LITTLE: Barnas 6 was Alachua County Today and
10 Barnas 7 is the newspaper.

11 ALJ: The newspaper.

12 MR. REGENSDORF: The newspaper.

13 MR. LITTLE: Do you need a copy of that?

14 MR. REGENSDORF: The newspaper ad?

15 MR. LITTLE: Yeah.

16 MR. REGENSDORF: Let me take one look at it. No.
17 It's condensed at the back of his complaint and it's much
18 easier to read than this one is. No. That's fine. As
19 far as I'm concerned you can use the one at the back of
20 complaint two pages. It's easier to read than copying
21 that big thing, but if you want to put it in for effect,
22 that's fine.

23 MR. LITTLE: The Judge already marked it.

24 BY MR. LITTLE:

25 Q. Now, was there some other aspect of this newspaper

1 that influenced you and your --

2 A. Again it's what I call --

3 Q. -- decisions?

4 A. -- the disclaimer that kept popping up everywhere
5 saying we are not a political group. We are not -- we are a
6 grassroots and we encourage local residents, business owners
7 and others invested in and supportive of our goals to sign on
8 and show public support for this effort. I certainly, when
9 you put all this together with all the other documents that
10 kept talking about it and their mission statement looking for
11 people to support that goal, that's what I feel was being
12 said.

13 Q. Which goal?

14 A. The fifth goal that was - it's not in there, but
15 it's --

16 Q. No.

17 A. -- the one that said therefore we believe and it
18 said that this amendment was not good for the city of High
19 Springs.

20 Q. Was there anything about other aspects of this paper
21 that influenced your thinking at all?

22 A. Well, in the paper, internally in the paper were
23 letters to the editor and the first one was support for Byran
24 Williams and that was by one of the members of - one of the
25 members on the other side of the paper. That was a member of

1 the Concerned Citizens. There was another one Byran Williams
2 by another member Arlene Doran, Ross Ambrose, Susan Beck, Gene
3 Levine, Lucy Regensdorf, Ron Wilson, and I'm not sure about
4 Martha Hines. These were all letters that supported Byran
5 Williams in the same paper that they printed the newspaper
6 ad.

7 MR. REGENSDORF: Then, Mr. Little, I would like a
8 copy of the entire paper, if we are now -- I would
9 otherwise object because the only thing that was
10 identified was the ad, but I'm not going to make a silly
11 objection. If you would just simply send me a copy of
12 the letters page that Mr. Barnas just referred to, I'll
13 be happy to --

14 MR. LITTLE: May I inquire, do we have a copy now --

15 BY THE WITNESS:

16 A. I have a copy here somewhere.

17 MR. LITTLE: -- that we can give you before we leave
18 here today.

19 MR. REGENSDORF: Can I take a look at that, please?

20 MR. LITTLE: You may.

21 MR. REGENSDORF: We made a mess out of this.

22 MR. LITTLE: Yes.

23 MR. REGENSDORF: At your age and my age we at least
24 should be able to fold a newspaper better than that, I
25 know that.

1 MR. LITTLE: Well, they used to be real big.

2 ALJ: I know. It used to be like this.

3 MR. REGENSDORF: Even the New York Times is using
4 small paper now.

5 MR. LITTLE: That's correct. Let me know when
6 you're finished.

7 MR. REGENSDORF: Go ahead. I'll devote five percent
8 of my brain power to this and five percent to your
9 question and the other 90 percent will stay where it's
10 been all day.

11 BY MR. LITTLE:

12 Q. Now, from the information that you have seen and
13 other information, did you come to an opinion as to why the
14 Concerned Citizens were organized?

15 A. The election that was coming up would have certainly
16 been a shift in the balance of power so to spoke at the city
17 commission had Byran Williams won. That was well known
18 throughout the community. The ballot issue was opposed by the
19 same group of people which were mostly people in the Concerned
20 Citizens For A Better High Springs and I saw them form in
21 September and their post on Friend's Post looking for
22 supporters especially post on what's called Facebook looking
23 for supporters saying we got another 10 today. We got 20
24 more. We have now got 150 and there was a press release.
25 There was a press release October 1st that appeared on

1 Friend's Post where they talked about advocacy for --

2 MR. REGENSDORF: I'm going to object. If you have a
3 document, otherwise it's the best evidence. If he's got
4 it, I'll be happy to -- Has it been identified?

5 MR. LITTLE: Here it is. Here it is.

6 MR. REGENSDORF: Has it been identified in our
7 witness document exchange? I don't remember seeing it.

8 MR. LITTLE: It was part of the discovery that was
9 given to you.

10 MR. REGENSDORF: If it was part of the discovery,
11 then I have absolutely no problem with it as long as I
12 get a chance to take a look at it.

13 MR. LITTLE: Okay. So this is going to be Barnas
14 7.

15 MR. REGENSDORF: Let me take a look at it. Let's
16 take it one step at a time.

17 MR. LITTLE: Barnas 8 I guess it is.

18 ALJ: Yes.

19 BY MR. LITTLE:

20 Q. Now, what was it about this Friend's Post --

21 ALJ: Do you need time to look at it?

22 MR. REGENSDORF: Again my five percent will continue
23 to hold on.

24 ALJ: Okay.

25 BY THE WITNESS:

1 A. This was a press release dated October 1st, 2012 and
2 it was entitled -- I don't know why it was entitled "The Fly
3 In The Ointment", but in the first paragraph they talked about
4 a newly formed group and it said we hope to affect positive
5 change through the education and advocacy for better policy
6 decisions by elected officials. It goes down again and uses
7 the same what I keep calling a disclaimer. It was supportive.
8 We are supportive of our goals so sign on and show support.

9 BY MR. LITTLE:

10 Q. And you took it as one of their goals?

11 A. One of their goals was opposing the ballot issue and
12 as it was said in number 5 under their mission statement and
13 they put that together with all the - in my mind put that
14 together with what they passed out at the women's club. What
15 they put on Friend's Post. What they put on Facebook. It all
16 painted a picture of a group. And the people, you also had to
17 know when I observed them. The people that were in that group
18 that stood behind City Hall in a tent that said Concerned
19 Citizens For A Better High Springs were people that were at
20 city meetings that opposed the ballot issue, that opposed
21 anything I pretty much said throughout the city and supported
22 everybody that we didn't support for a commission candidate.

23 So as a package. These are just pieces that came
24 together and made me firmly believe that this group was
25 together to oppose ballot issues.

1 I want to say a couple more things, Joe. That first
2 month of their forming September through October they had
3 three appreciation luncheons for city employees. Three.
4 Between the election - after the election and Christmas they
5 had an appreciation dinner, I believe it would have been in
6 November after the election, an appreciation dinner is how it
7 was posted on Facebook for the city employees. Since that
8 date of the appreciation dinner for those employees there's
9 never been another appreciation luncheon. There's never been
10 another appreciation dinner. There's never been an event that
11 invited people behind City Hall to sign up and be part of
12 these members of this organization that was looking for better
13 government and we are into the year 2013/14 with a government
14 that I'm a city commission on. We just had turmoil over at
15 the police department. We're having problems with our budget.
16 So why are they not out there today?

17 Q. What did this lead you to conclude?

18 A. Well, it's lead me to conclude that I was correct in
19 my assumption that they were only there for the purpose of
20 influencing anything that happened in the election of 2012 and
21 I wanted to see if we could prove that.

22 Q. Do you agree that citizens have a constitutional
23 right to support or oppose candidates and issues without
24 governmental interference?

25 A. I would hope so, yes.

1 Q. Okay. Do you agree that like minded citizens have a
2 constitutional right to form an organization to promote their
3 political agendas without governmental interference?

4 A. Yes..

5 Q. Did you make inquiries of the Florida Elections
6 Commission about making a complaint that the Concerned
7 Citizens had perhaps violated the Florida election laws?

8 MR. REGENSDORF: Objection. Leading. Plus I think
9 it misstates what he said he talked about, but I'll
10 object for now that it's leading.

11 ALJ: Sustained. Rephrase it.

12 BY MR. LITTLE:

13 Q. Did you make inquiry of the Florida Elections
14 Commission about filing a complaint?

15 ALJ: Go ahead.

16 BY MR. LITTLE:

17 Q. That's a one word answer?

18 A. Yes..

19 Q. Why?

20 A. After everything that I observed through September
21 and October, I was quite sure that they had spent more than
22 \$500. There was two or more people that organized the group
23 and I said it's time to find out. In fact, I put it on my
24 website. Let's see what the Florida election - it was boldly
25 printed on my website, let's see what the Florida election

1 decides. So I called them. I made several calls to them and
2 I got transferred around. I spoke to someone. Do not know
3 their name. Did not get their name, but I spoke to someone at
4 the Florida Elections Commission. I said I want to file a
5 complaint against Concerned Citizens For A Better High
6 Springs. They're a political committee. I would like you to
7 look into it.

8 They said you can't file it against a group. You
9 have to file it against a person and you have to have two
10 names. We can't just take your newspaper ad, Mr. Barnas, and
11 pick two names out of there. You have to put a name in it and
12 at that point I said thank you very much.

13 Q. When was that point, do you remember?

14 A. That would have been after the election somewhere
15 before the end of November. I want to say between - after -
16 two weeks after the election.

17 Q. So did you have any intent to try to influence the
18 election itself by filing a complaint?

19 A. No.

20 Q. At the time that you talked to FEC, did you have
21 any, in mind any particular person that you would file a
22 complaint against?

23 A. No. There was no one person that I thought of
24 filing against because I had asked them, the organization.

25 Q. Were you thinking at all about Sharon Yeago as a

1 person to complain against at that time?

2 A. No. At that point, no.

3 Q. In your opinion, what had the Concerned Citizens
4 failed to do that the law required them to do?

5 A. Well, first of all, they should have registered as a
6 political committee and then they should have done all the
7 other things that were required of candidates, to file their
8 reports, to get them in on time and do what they're supposed
9 to do and that would have been the thing to do.

10 Q. What did you hope to achieve by filing a complaint
11 against the organization, if you could?

12 A. Well, I think I wanted a fair playing field. I
13 wanted a fair playing field. There are violations and there
14 are no violations, but when things get violated like that
15 election laws, it skews, in a small town like ours it skews
16 the results, and if we all play fair, did our reports on time,
17 submitted them on time, do what it said, put a disclaimer on a
18 sign, do what you're supposed to do, the playing field would
19 be what we should do all the time. I wanted the jurisdiction
20 over that statute to determine if I was right or wrong.

21 Q. Did you seek any legal advice before filing the
22 complaint?

23 A. No.

24 Q. I think you may have mentioned this, but why did you
25 wait until April to file your complaint?

1 A. Well, I felt I had, by that time I had had the
2 person that I felt the complaint would be named in because she
3 had said in an e-mail I'm the spokesperson. I'm the person
4 that deals with all our issues. I'm the person that things
5 should be directed to. I didn't know who else to name. John
6 Manley, Becky Johnson, Ed McKennon, the committee people. It
7 was only at a commission meeting just before that date that
8 Linda Jones stepped up and said I'm here speaking on behalf of
9 Concerned Citizens For A Better High Springs so it became her
10 name.

11 Q. Now, suppose someone else had identified herself as
12 the complainant. Whom would you have named in that
13 complaint?

14 MR. REGENSDORF: As the complainant? You don't mean
15 that.

16 MR. LITTLE: I'm sorry.

17 BY MR. LITTLE:

18 Q. As the spokesperson for Concerned Citizens?

19 A. If somebody else -- I'm sorry. I lost the question.

20 Q. Suppose somebody else had stated I am the
21 spokesperson for the Concerned Citizens, whom would you have
22 named?

23 A. You can put a blank name in that spot. When I was
24 ready to file the complaint, that was whoever's name was the
25 spokesperson would have been the person who got the complaint

1 filed against them.

2 Q. So was there anything at all personal about the
3 person that you named?

4 A. Nothing at all. No. It was strictly political
5 committee request of the Florida Elections Commission.

6 Q. Did you intend to damage the reputation of Ms.
7 Yeago?

8 A. Absolutely not.

9 Q. Did you intend to damage the reputation of any
10 person?

11 A. No.

12 Q. Up until the time that the complaint was dismissed
13 as insufficient did you tell anyone except the election
14 officials that you had named Yeago in your FEC complaint?

15 A. I did. I told --

16 Q. Aside - apart from the election officials?

17 A. That's right. You said the election officials. No.
18 No. Aside from the city election official, no.

19 Q. Did you post or have you posted on your website that
20 you named Yeago in your FEC complaint?

21 A. Never used her name ever.

22 Q. Have you posted on your Facebook page that you named
23 Yeago in your FEC complaint?

24 A. No.

25 Q. Have you sent e-mails to anyone stating that you

1 named Yeago in your FEC complaint?

2 A. Nope.

3 Q. When did you file your complaint with FEC?

4 A. When?

5 Q. When.

6 A. It went - it was dated and typed on April 1st and
7 they received it filed April 3rd.

8 MR. LITTLE: Now, Your Honor, the next question I
9 was going to ask would be to put the various filings and
10 the report. Have we got them all in here?

11 MR. REGENSDORF: I believe all the substantive
12 filings in the FEC have been admitted and those would be
13 Mr. Barnas' complaint, Ms. Yeago's response. The only
14 thing that's not in there, Mr. Little, is the June 28th
15 letter. If you would like to put it in, I have
16 absolutely no objection that says to Mr. Barnas you have
17 not taken advantage of an opportunity to add anymore
18 material, therefore our file is essentially closed. I
19 don't know if that's what it says, but that letter is not
20 in there. Then we have our petition for fees on the 10th
21 of July. Mr. Barnas' composite response on October 28th.
22 The hearing on November 13th. The other thing that's not
23 in there although again I have no objection if you want
24 to put it in is the order dated nunc pro tunc, if you
25 will, on November 13th from the Florida Elections

1 Commission saying that they find by a vote of five to two
2 that the complaint sufficiently alleges a cause of action
3 for attorney's fees.

4 BY MR. LITTLE:

5 Q. Okay. Mr. Barnas, I'm going to hand you a document
6 that is, this is the newspaper --

7 MR. LITTLE: Is this the same as the newspaper?

8 ALJ: Yes.

9 MR. LITTLE: Okay. So I don't need to do that.

10 Your Honor, just to make sure we have everything in
11 there, I'm going to offer this as Barnas 9 which is the
12 Florida Elections Commission letter of June 10, 2013.

13 MR. REGENSDORF: That's in. That's in.

14 MR. LITTLE: Okay. But we are going to put it in as
15 Barnas 9.

16 ALJ: Okay.

17 BY THE WITNESS:

18 A. Where did this come from?

19 MR. REGENSDORF: The last page -- Well, you might
20 have gotten this copy.

21 BY THE WITNESS:

22 A. I never saw this review of complaint of legal
23 sufficiency. I never had that. I don't know where it came
24 from.

25 MR. REGENSDORF: It came from your file so I don't

1 know where it came from either, but I have no objection
2 to this document going in.

3 BY MR. LITTLE:

4 Q. You want to look at that review of complaint for
5 legal sufficiency?

6 A. That's fine.

7 Q. Let me ask you this --

8 A. I don't ever recall seeing this. You can exclude
9 it.

10 Q. Well, I don't know that we want to.

11 A. Okay. It doesn't matter to me.

12 Q. Just take a look at it for a moment.

13 A. I never had that.

14 Q. This thing states that it is a Florida Elections
15 Commission review of complaint for legal sufficiency. Did I
16 read that correctly?

17 ALJ: You guys have 15 minutes.

18 BY THE WITNESS:

19 A. Legal - review of complaint for legal sufficiency.

20 BY MR. LITTLE:

21 Q. Okay. I want you to go over to page 3, reviewer's
22 recommendations and comments.

23 A. Yes.

24 Q. I'm going to read this and ask you if this is what
25 it states. I recommend that this complaint is legally

1 insufficient because complainant appears to be without
2 evidence that would demonstrate the respondent had a duty to
3 register as a political committee or as an electioneering
4 communications organization, unquote?

5 A. That's what it says.

6 ALJ: Do you still want it marked?

7 MR. LITTLE: Yes. We'll put it in.

8 ALJ: Barnas exhibit 9.

9 MR. LITTLE: Exhibit 10, Your Honor, will be the
10 October - sorry - June 28th letter indicating that the
11 case has been dismissed. Do you have any objection to
12 that?

13 MR. REGENSDORF: Sorry. I didn't see which letter
14 you're talking about.

15 MR. LITTLE: June 28th.

16 MR. REGENSDORF: No. I have no objection to that.

17 ALJ: Okay.

18 MR. LITTLE: The next thing is FEC October 24th
19 notice of hearing motion for attorney's fees. I'll offer
20 that as B11. Do you want to see that one.

21 MR. REGENSDORF: No. It's just the notice of
22 hearing. I have no objection.

23 BY MR. LITTLE:

24 Q. When did you learn that Ms. Yeago had filed a
25 response to your complaint?

1 A. It wasn't until October 28th, the morning of October
2 28th around 11:00 when I got my mail that I received notice,
3 this notice here that there was going to be a petition for
4 legal fees.

5 Q. When did you learn that Ms. Yeago had filed a fee
6 petition against you?

7 A. I called the office of the Florida Elections
8 Commission and they told me that a complaint, a reply was made
9 to my complaint and that there was several attachments to it
10 and it was filed back on April 27th and I said I never
11 received that. They said, well, we got it. And I said, well,
12 would you send me everything you've got that has come in and
13 they sent me 246 pages of documents that morning.

14 Q. In your complaint, and let's look at exhibit 1.
15 Have you got the complaint?

16 A. Oh, my God, it's here somewhere.

17 Q. Okay.

18 A. It was here.

19 Q. Did you accuse Ms. Yeago of knowingly and willingly
20 violating the law?

21 A. No.

22 Q. Did you make a complaint against Ms. Yeago to the
23 State Attorney?

24 A. No.

25 Q. Did you ever intend that FEC refer the complaint to

1 the State Attorney?

2 A. No. No.

3 Q. Are you familiar with the warning at the bottom of
4 the page of an FEC complaint form that appears on the second
5 page of the complaint that you filed?

6 A. Concerning me filing something false, yes.

7 Q. Does that warning read, "Any person who files a
8 complaint while knowing that the allegations are false or
9 without merit commits a misdemeanor of the first degree
10 punishable as provided by section 77.5082 and 77.5083 Florida
11 Statutes."

12 A. Yes.

13 Q. Did you read that before you signed this?

14 A. Yes.

15 Q. Did you understand that you were not to make any
16 knowing false allegations?

17 A. That's always been what I have done. Correct. I
18 understood.

19 Q. Did you entertain any belief at all that you were
20 filing a false allegation?

21 A. No.

22 ALJ: You're going to have to wrap it up.

23 BY MR. LITTLE:

24 Q. Would you file a complaint if you believed you made
25 any false statements in it?

1 A. No.

2 Q. Did you publish on your website or anywhere else
3 that you had filed a complaint against Sharon Yeago?

4 A. No.

5 MR. LITTLE: Your Honor, we'll stop there.

6 ALJ: Okay. Now, do you have any more witnesses
7 you're going to call?

8 MR. LITTLE: No, ma'am.

9 ALJ: Okay.

10 MR. LITTLE: May I have a quick --

11 ALJ: Yes.

12 BY THE WITNESS:

13 A. Could I have number 6?

14 ALJ: Of your exhibits or their exhibits?

15 BY THE WITNESS:

16 A. Their exhibit number 6.

17 MR. REGENSDORF: I think it's the Concerned --

18 BY THE WITNESS:

19 A. No. I'm sorry. Number 4, petition. Mr.
20 Regensdorf's petition for fees.

21 MR. REGENSDORF: It's the rather large two part
22 composite exhibit, Your Honor. Keep going. Getting down
23 to it. Right there. That's it.

24 ALJ: I thought he said 6.

25 MR. REGENSDORF: He did, but he means 4. That's the

1 exhibit portion.

2 BY MR. LITTLE:

3 Q. So what do you want to call to the attention of the
4 Judge? That's a question.

5 MR. REGENSDORF: Okay. At three minutes to 6:00
6 I'll accept it as a question.

7 ALJ: We can always come back. You all are not
8 going to be finished.

9 MR. REGENSDORF: I know you guys say, no, let's go
10 ahead. I'm the petitioner. I have got cross examination
11 of this witness.

12 ALJ: You intend to cross?

13 MR. REGENSDORF: Absolutely. I'm not going to spend
14 an hour, but I'm not going to get cut off at three
15 minutes.

16 ALJ: We'll have to come back.

17 MR. REGENSDORF: A, number 1, that's fine. I'm more
18 than happy to do that. B, I'm telling everybody if
19 you want to do it in some other fashion that does not
20 require everybody picking up their butts and moving
21 somewhere else.

22 ALJ: Deposition?

23 MR. REGENSDORF: Happy to do that. Happy to do it
24 by phone. A conference call. I'll set it up. I'm happy
25 to do anything to save multiple dislocations. On the

1 other hand, if you would rather see the faces of those
2 who are being skewered whether it's me or him or anybody
3 else.

4 BY THE WITNESS:

5 A. Can I make a comment? Can I answer the question?
6 There is a comment.

7 ALJ: Hang on.

8 MR. LITTLE: There's no question.

9 ALJ: We are going to --

10 MR. LITTLE: You can't just talk.

11 ALJ: We are going to wrap this up for now.

12 MR. LITTLE: We are going to have - since he wants
13 to cross examine, so let's leave our direct open.

14 ALJ: I was. We'll come back.

15 MR. LITTLE: Right.

16 ALJ: We can't do it just tomorrow because I don't
17 know if we have a room and that room person is gone right
18 now so basically by next week can you all get together
19 and give me some dates that would be beneficial to you
20 all?

21 MR. REGENSDORF: Yes, ma'am.

22 MR. LITTLE: Yes, ma'am. Let me tell Mr. Regensdorf
23 now, I'll be out of town all next week so we can do it
24 later this week.

25 ALJ: I'm not talking about doing it next week.

1 MR. REGENSDORF: Let's do it next week. I think
2 that's clearly a time to do it. When do you leave, Joe?

3 ALJ: Give me some dates over the next couple of
4 months of when you guys will be available and I'll try to
5 match them on my calendar.

6 MR. REGENSDORF: We'll find them. If I might for
7 planning purposes, I suppose if he wants to put on
8 further direct, you're allowing him to do that.

9 ALJ: He hasn't rested yet and he hasn't finished
10 with this witness yet. The answer to that question is
11 yes.

12 MR. REGENSDORF: I'm not quarreling. There we go.
13 I'm going to cross and then if there's redirect and then
14 closing argument. Are we done?

15 ALJ: I don't do closings.

16 MR. REGENSDORF: Actually, Judge, I wasn't asking
17 you to do closings because that would be distinctly
18 inappropriate and you would lose the judicial
19 impartiality.

20 ALJ: You can argue anything you want to in the
21 proposed final order - proposed recommended order.

22 MR. REGENSDORF: I believe it goes recommended order
23 back to the FEC.

24 ALJ: Yes. I think you're right.

25 MR. REGENSDORF: Don't quote me on that, but I

1 believe that's the case.

2 ALJ: I have been in a final order case all last
3 week so...

4 MR. REGENSDORF: I'm quite sure this is not that.

5 ALJ: Anyway, you will have the opportunity to do
6 any arguing you want in your written proposals.

7 MR. LITTLE: In the written document do you have a
8 page limit?

9 ALJ: There is in the rule and it's the same as for
10 the state courts but, you know, if you all can't argue
11 this case in that amount of number of pages.

12 MR. LITTLE: I can. I don't know that he can.

13 MR. REGENSDORF: I take that as high praise. My
14 question only is I'm hearing two things and it's because
15 of my lack of experience, not because of the lack of
16 crystal clarity from the bench, I assure you. I'm
17 hearing proposed order and I'm hearing argument.

18 ALJ: Chapter 120 you have the right to file a
19 proposed recommended order.

20 MR. REGENSDORF: But to call that argument --

21 ALJ: I allow people to argue in those proposals or
22 if they want to do it in a separate document, however
23 you want to organize it.

24 MR. REGENSDORF: We can separate the two concepts
25 and say here's an arguably neutral order and here is a

1 arguably not neutral argument.

2 ALJ: Yes. You have it both ways.

3 MR. REGENSDORF: I hear you. That's fine. My
4 personal preference and I'm not suggesting that you will
5 yield to my whim, is I always prefer to argue it orally.
6 I think it communicates better. But if you don't want
7 that, then when we come back --

8 ALJ: No.

9 MR. REGENSDORF: -- we'll only prepare for the last
10 three stages.

11 ALJ: No. I don't need it verbally.

12 MR. REGENSDORF: It's not a question of whether you
13 need it. It's whether I want to do it.

14 ALJ: It's most definitely a question of whether I
15 need it.

16 MR. REGENSDORF: That's what I meant.

17 MR. LITTLE: Your Honor, do you need the transcript?

18 ALJ: Not until -- Are you all intending to have
19 this transcribed because generally the time for filing
20 the proposed recommended orders doesn't start until the
21 transcript is filed. I take that up at the end of the
22 hearing which we are not to yet.

23 MR. REGENSDORF: Again I'm sorry for not knowing
24 this because I feel like a third year lawyer rather than
25 a 42 year lawyer. Let's assume that we had the final

1 hearing tomorrow. Let's assume that we finish the
2 testimony. You said this hearing is over. Do you at
3 that point want the transcript ordered or expect or
4 whatever the transcript.

5 ALJ: It's up to you all.

6 MR. REGENSDORF: If we don't, then the time doesn't
7 start for the running of the --

8 ALJ: The time starts immediately.

9 MR. REGENSDORF: Okay. I thought you said it
10 started from the delivery of the transcript.

11 MR. LITTLE: If there is going to be one.

12 ALJ: Yes, if there's going to be one. We don't
13 automatically get it.

14 MR. REGENSDORF: I see. So if there is no
15 transcript, it starts in how many days it runs then?

16 ALJ: Well, however many we say. We'll have that
17 discussion at the end.

18 MR. REGENSDORF: I'm hearing you. I'm hearing
19 you.

20 ALJ: But we do not automatically get the
21 transcript.

22 MR. REGENSDORF: That's what I thought. Now
23 everything is crystal.

24 MR. LITTLE: That's why you take such good notes.

25 ALJ: Yes.

1 MR. LITTLE: Thank you, Your Honor.

2 ALJ: Get back to me with some dates sometime next
3 week.

4 MR. REGENSDORF: What's the easiest way to get a
5 hold of you?

6 MR. LITTLE: Do we have your e-mail?

7 MR. REGENSDORF: Is it improper to contact your
8 office or your secretary?

9 ALJ: You can call my secretary Billie. Her
10 extension is 220, but I want it in writing from
11 somebody.

12 MR. LITTLE: 220.

13 ALJ: But you never get directly to me. 488-9675.

14 MR. REGENSDORF: How about an e-mail address if
15 there is one.

16 ALJ: I have no idea.

17 MR. LITTLE: Okay.

18 MR. REGENSDORF: You're a woman of the '70's. My
19 God, get an e-mail address.

20 ALJ: I don't e-mail myself. I'm sorry. I click on
21 a name on context. Off the record.

22 (Whereupon, at 6:00 p.m. the Hearing was adjourned.)

23

24

25

CERTIFICATE

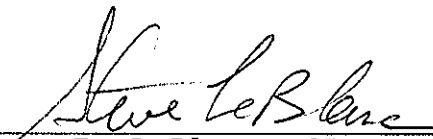
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(STATE OF FLORIDA)
SS.
(COUNTY OF ALACHUA)

I, STEVEN E. LeBLANC, SR., R.P.R., and Notary Public in and for the State of Florida at Large, do hereby certify that pursuant to Notice of Hearing, I sat at the place and at the time as hereinabove shown; that I was attended by counsel as hereinabove shown, and the witnesses who were first duly sworn and then testified as is hereinabove shown, and that the testimony of the said witnesses and proceedings was reduced to typewriting under my personal supervision and that a review of the transcript was not requested.

I further certify that I am neither of counsel nor attorney to either of the parties in said cause, nor interested in the event of said cause.

Witness my hand and official seal in the City of Gainesville, Alachua County, Florida this 31st day of March, 2014.



Steven E. LeBlanc, SR., R.P.R.
Notary Public in and for the
State of Florida at Large.



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FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

April 3, 2013

CERTIFIED MAIL 70042510000147395596

Sharon L. Yeago
21120 NW 132nd Lane
High Springs, FL 32643

RE: Case No.: FEC 13-125, Respondent: Sharon L. Yeago

Dear Ms. Yeago:

On April 3, 2013, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106 25(2), Florida Statutes states:

The respondent shall have 14 days after receipt of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period.

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that I receive your response in a timely manner, you may also want to send it via e-mail to my attention, at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined legally sufficient. Please note that all correspondence from this office will be mailed to the same address as this letter. Therefore, if your address changes, you must notify us of your new address.

Under section 106 25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing.

Yeago E11

The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Ann Malphurs". The signature is written in a cursive style with a large initial "D".

Donna Ann Malphurs
Agency Clerk

Enclosure: Complaint w/attachments

DAM/ip

STATE OF FLORIDA

FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050

Telephone Number (850) 922-4539

www.fec.state.fl.us

RECEIVED

CONFIDENTIAL COMPLAINT FORM

2013 APR - 3 A 10:54

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Robert J Barnas Work Phone: (352) 538-7355
Address: 20147 NW 257th Terrace Home Phone: (386) 454-2702
City: High Springs County: Alachua State: FL Zip Code: 32643

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.

Name of individual: Sharon L. Yeago
Address: 21120 NW 132nd Lane Phone: (352) 256-8115
City: High Springs County: Alachua State: FL Zip Code: 32643

If individual is a candidate, list the office or position sought:

Name of committee or organization:

Address: Phone: ()

City: County: State: Zip Code:

Have you filed this complaint with the State Attorney's Office? (check one) [] Yes [X] No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigate the following provisions: Chapter 104, Chapter 106, Section 98.122, and Section 105.071, Florida Statutes. Also, please include:

- The facts and actions that you believe support the violations you allege,
The names and telephone numbers of persons you believe may be witnesses to the facts,
A copy or picture of the political advertisements you mention in your statement,
A copy of the documents you mention in your statement, and
Other evidence that supports your allegations.

Sharon L Yeago formed a organization with Linda Jones and several others to make political positions know and most specifically to oppose a ballot referendum issue to limit debt.

This was on the ballot November 2012 in the city of High Springs, Florida.

Details of the complaint and Florida Statutes is attached.

Two or more people, making expenditures and opposing a ballot issue. In addition, registered agent was not named. Registered treasurer was not named and reports were not filed. Again, detail information is attached.

Additional materials attached (check one)? Yes No

4. OATH

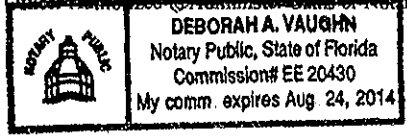
STATE OF FLORIDA
COUNTY OF Alachua

I swear or affirm, that the above information is true and correct to the best of my knowledge.

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 15th day of April, 2013

Signature of Deborah A. Vaughn Notary Public



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known Or Produced Identification

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

RECORDED
2013 APR -3 A 10:54
STATE OF FLORIDA

April 1, 2013

Florida Election Commission
107 West Gaines Street
Suite 224
Tallahassee, Florida 32399-1050

Dear FEC,

High Springs is a small town compared to Tallahassee. The numbers of voters and dollars spent are at different ends of a chart. But money is money and politics is politics. So whether it is millions of dollars and hundreds of votes for a large town and a Political Committee (PC) or a small town where thousands of dollars and a few dozen vote is involved, the law is clear and has been written to deal with both equally. As an example I suggest you look at FEC case 06-129.

And if a PC's action affects Tallahassee or High Springs, the result of the vote of a yes or no is the same. The loss or win in an election, or an issue. Size of a voting population is not of importance. And with that, MUST be dealt with in a manner that is equal, whether a town is big or small.

Florida law has been written to deal with either case, big or small. It is clear that a PC is only 2 or more people, spending \$500 or more, and in support or against a candidate or issue. Not issues, not candidates combined, but only one issue would be sufficient. And in this case a **ballot referendum**.

This complaint is a complaint against a group/committee that was organized to oppose a specific issue, and in fact is still in existence and making statements in support of or against issues.

I will detail my allegations in following information. I am submitting this now because I just was able to document (in writing and not hearsay) a second person to satisfy the two person rule.

For the November 2012 election in High Springs Florida candidates registered to run, and an issue was place on the ballot to limit the debt of the city and placing a restriction on the ballot. The ballot was set by Alachua County Election office of Pam Carpenter and the municipal High Springs City Clerk (in charge of city ballot) Jenny Parham (see ballot and results Exhibit 1). And two candidates for one seat were Byran Williams and Pat Rush. The other seat was Scott Jamison and Ed Reiss.

This complaint is that a group of many individual formed an organization/PC, to defeat the ballot issue and also support and support the election of Byran Williams and Scott Jamison. They set up a "steering committee" (please note they do use the word committee) to write their goals and positions and called them "principles". I feel this organization used the term "steering committee", but was actually a PC that would conform to Florida Statute as defined in 106.011 (1)(a)(1)(c).

Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue".

000000

Again, this group had more than 2 people, and may have taken contributions, but certainly made expenditures on advertising, signs, written material and events advocating reform at the city. And again, for the defeat of a ballot issue of the City of High Springs. The ballot issue was a referendum to limit city debt.

This organization used a disclosure that it was a "grassroots" organization and did not fall under Florida Statute 106. Florida Statute 106 makes no mention of exclusion of any "grassroots" group. The fact that they referred to FS 106.11 is proof they knew of this statute. Yet they knowingly and willfully avoided complying with it on all levels.

What FS 106 covers and FS 106.011 defines, is a "political committee". And most certainly it is my opinion in this complaint that this group/organization began a string of violations when it knowingly and willfully avoided becoming a PC that never properly registered as required under FS 106.03 (3) (c).

"A political committee which is organized to support or oppose only candidates for municipal office or issues to be voted on in a municipal election shall file a statement of organization with the officer before whom municipal candidates qualify".

They never appointed a treasurer as required by FS 106.021(1) (a).

"Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer".

Never appointed a registered agent required by FS 106.022(1).

"Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the filing officer a statement of appointment for the registered office and registered agent".

Never filed timely reports of the organization and its financial expenditures as required by FS 106.07.

"Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.021 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee"

The following information will be a timeline of the birth or founding of Concerned Citizens for a Better High Springs (hereafter referred to as CCFBHS). A group of more than 2 people who spent more than \$500 on the High Springs City Election and the defeat of a ballot issue to limit debt of the city.

Again, it is my contention this organization fits Florida Statute 106 as a PC. They never registered properly or filed reports of financial disclosure. They ignored the law.

While there are more than 100 members, it would be difficult to single out individual officers. But there are two people who have made written statement (see Sharon Yeago attached email Exhibit 2, and Exhibit 2 a Facebook statement of Linda Jones) where they admit to being either the spokesperson or

steering committee person and hubs for information in and out of the organization. These two people I hold fully responsible for organizing and NOT filing as a PC, registering as an agent or treasurer of this PC. Then, not filing appropriate financial reports and disclosures as required by a Florida Statute of a PC. I have named Sharon Yeago in this complaint as the responsible party.

The FEC needs to look at the timeline and evidence. The FEC needs to see how this organization has tried to call itself a "grassroots" organization to simply avoid being a PC. The FEC need to bring to bear its power and authority given to it by the State of Florida law and investigate, and take all appropriate measure under its power to determine the status of this organization and then administer the penalties, fines and rulings under its power, should they find this organization is a PC and failed on all levels to register and file reports. To not do so would open the door for all other organizations to avoid Florida State requirements across Florida, whether big or small.

Here is a timeline and evidence I have gathered.

During early September 2012 an organization called CCFBHS and their Facebook page surfaced. A PC was born. It says on the Facebook page that it was founded September 28, 2012. I have attached (Exhibit 3) a copy of the Facebook founded page.

On October 1 and 8, newspaper stories came out that reported the organization, steering committee people and more. Sharon Yeago again is quoted (Exhibit 4).

They have a Facebook page "Concerned Citizens for a Better High Springs" that has an "About" page with a Mission Statement. The mission statement is a statement of political views and opinions that address issues facing High Springs. This site was established September 17, 2012, founded September 28, 2012 and ran almost weekly political statements right up till, the election on November 7, 2012.

This organization from early September began holding regular meetings at the building (Video City) owned by one of its members, Ed MacKinnon (George Edgar MacKinnon). This in effect was an in kind donation (one donation for every meeting) by Mr. MacKinnon that he has not disclosed and/or was not reported by CCFBHS.

These meetings discussed the future of High Springs, the ballot issue and support for Byran Williams.

At the Candidate Forum at the High Springs Women's Club they distributed more flyers (Exhibit 5) that set in stone their political stance on the debt issue on the ballot. They supported DEFEATING the charter amendment issue. I have also attached a copy from the Facebook site where Gene Levine (one of the members) makes a post in support of Byran Williams and refers to "we" (the group) and the Facebook page allows it to go out to all friends and the public for the record.

This organization gathered names of over 100 supporters and friends. This organization on October 31, 2012 places a full page ad in the Alachua Today newspaper (Exhibit 6). The cost of which is estimated over \$500. Either someone wrote a check to the paper, or the paper made an in kind donation. While I have said estimated at over \$500, it has been said to me that the cost is much closer to \$1000. This one ad alone will be the key to expenditures. Two names in this ad (at that time and now) are sitting High

3006.5
3

Springs Commissioners Sue Weller and Scott Jamison and 1 candidate Byran Williams (at that time), and is now a sitting commissioner (who was elected and sworn in on November 17, 2012).

During the pre election period many named members held signs for Byran Williams and on Election Day had a tent with his signs and again held his signs next to the two 4ft X 4ft "Vote NO" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places. I do not have a picture of these posters, but witnesses will verify that they were there and that these members held candidate Byran Williams signs. The cost estimated of two large referendum posters is estimated at \$100.

I have included additional pages and pictures from the Facebook site. You will see political statements and pictures of organization/political banners. At an event at city hall this committee/organization displayed a large banner (see photos dated.....) naming their organization and, asking for people to "join us", they handed out flyers (at a cost) and made political statements on issues facing the City and the Commission of High Springs. The cost estimated of this banner is \$100.

Other expenditures by the CCFBHS included lunches for city employees on city property. Cost unknown.

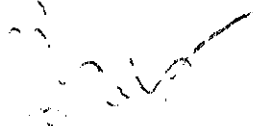
This organization certainly has spent well over \$500, with my estimate being more like \$1000-2000.

This organization after the election has virtually stopped activity, but is still in existence. It was their sole purpose to truly influence the election and ballot issue. But they still seem to be in around based on their Facebook.

This complaint is that Sharon Yeago with Linda Jones organized and created a steering committee for the CCFBHS as a Political Committee. And through their "steering" had knowledge of **spent funds opposing an issue on the ballot and supporting candidates**, in violation of Florida Statute as mentioned above. More specifically this complaint is that Sharon Yeago has violated:

- 1) FS 106.03 (1) by failing to register a PC with the Supervisor of Elections (Jenny Parham) for the City of High Springs (a Florida municipality).
- 2) FS 106.022 by never appointing a registered agent as required.
- 3) FS 106.021(1) (a) by never appointing a treasurer as required.
- 4) FS 106.19 (1)(d) making many financial expenditures.
- 5) FS 106.06 several times for not keeping records.

Respectfully submitted,



Bob Barnas
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355 (cellphone)

NO. 10
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 3 - ARTICLE XI, SECTION 32

Tangible Personal Property Tax Exemption

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

YES

NO

NO. 11
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6

Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

YES

NO

NO. 12
CONSTITUTIONAL AMENDMENT
ARTICLE IX, SECTION 7

Appointment of Student Body President to Board of Governors of the State University System

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

YES

NO

↓ If you live in the City of Archer, these races will appear on your ballot. ↓

ARCHER CITY COMMISSION

SEAT 1

(Vote for One)

Laurie Costello

Doug Jones

ARCHER CITY COMMISSION

SEAT 2

(Vote for One)

James Mayberry

Marjorie Zander

ALACHUA COUNTY QUESTION 1
FIX OUR ROADS ALACHUA COUNTY:
FUNDING ROAD IMPROVEMENTS BY LEVYING A 3/4% SALES SURTAX

Shall Alachua County implement a Road Improvement Plan to extend the life and improve the safety of county Roads by maintaining, paving and reconstructing Roads; and in the Cities of Gainesville, Alachua, Newberry, High Springs, Hawthorne, Welton and Archer, and the Towns of Micanopy and LaCrosse, funding municipal Road maintenance, construction, reconstruction and paving projects; by levying a 3/4% sales surtax for 15 years subject to independent audit and citizen review.

FOR the three-quarters percent (3/4%) transportation sales surtax.

AGAINST the three-quarters percent (3/4%) transportation sales surtax.

ALACHUA COUNTY QUESTION 2
RENEWAL OF THE EXISTING ONE MIL AD VALOREM TAX FOR SCHOOL DISTRICT OPERATING EXPENSES

Shall the Alachua County School District's existing one mil ad valorem tax be renewed, beginning July 1, 2013, and ending four years later on June 30, 2017, for necessary operating expenses to fund school nurses, elementary music and art programs, K-12 school library programs, K-12 guidance programs, middle and high school bands and chorus programs, academic/career technical magnet programs and to update classroom technology; with oversight by an independent citizens' committee?

YES

NO

↓ If you live in the City of High Springs, these races will appear on your ballot. ↓

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Byron Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

A candidate has withdrawn from this race. Therefore, a vote cast in this race will not change the outcome as the remaining candidate is deemed by law to be elected for the race.

Scott Jamison

Edward "Ed" Rees

PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER NUMBER 1

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

↓ If you live in the part of Precinct 40 that is not within the City of Gainesville, this race will appear on your ballot. ↓

ANNEXATION

(Vote for One)

FOR annexation of property described in Ordinance Number 120172 of the City of Gainesville

AGAINST annexation of property described in Ordinance Number 120172 of the City of Gainesville

**OFFICIAL RESULTS
GENERAL ELECTION, ALACHUA COUNTY
NOVEMBER 6, 2012**

Date:11/16/12
Time:16:55:28
Page:4 of 4

****INCLUDES ALL LEGALLY CAST BALLOTS****

Registered Voters 164970 - Cards Cast 242059 146.73%

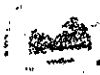
Num. Report Precinct 63 - Num. Reporting 63 100.00%

Archer 2		Total	
Number of Precincts		1	
Precincts Reporting		1	100.0 %
Times Counted		515/696	74.0 %
Total Votes		457	
James Mayberry		218	47.70%
Marjorie Zander		239	52.30%

High Springs 4		Total	
Number of Precincts		2	
Precincts Reporting		2	100.0 %
Times Counted		2911/3710	78.5 %
Total Votes		2634	
Pat Rush		1179	44.76%
Byran Williams		1455	55.24%

High Springs Charter		Total	
Number of Precincts		2	
Precincts Reporting		2	100.0 %
Times Counted		2911/3710	78.5 %
Total Votes		2686	
YES		1801	67.05%
NO		885	32.95%

Annexation		Total	
Number of Precincts		1	
Precincts Reporting		1	100.0 %
Times Counted		680/798	85.2 %
Total Votes		665	
FOR		62	9.32%
AGAINST		603	90.68%



Bob Barnas <bbarnas@highsprings.us>

Re: Concerned Citizens for a Better High Springs

1 message

Sharon Yeago <sharon@yeago.net>

Fri, Dec 7, 2012 at 12:25 PM

To: Bob Barnas <bbarnas@highsprings.us>

Cc: John Manley <jmanley3@yahoo.com>, Bob Jones <ticonderoga47@hotmail.com>, Linda Jones <sunsetwishes@hotmail.com>

Bob, if you are interested in publicly supporting our values, you should follow the instructions outlined in every publication, press release or article that has been written or distributed to date. These are readily available on Facebook, Alachua Today and the Observer.

Please let me know if you need another copy of these materials. We can share with your our Guiding Principles, Recommendations etc.

As you also know by reviewing our supporters list previously submitted we already have three commissioners who support our values. Therefore, attendance at our meetings could become problematic and I would recommend legal advice on that issue.

I am traveling and have not had access to my computer (I'm using a guest services computer right now during my lunch break at a conference in Jax) which is why the delay in my response to you.

I look forward to your response. I return to High Springs this evening and can forward you any materials you require at that time

Take care Sharon

On Thu, Dec 6, 2012 at 1:04 PM, Bob Barnas <bbarnas@highsprings.us> wrote:

- > Sharon,
- >
- > So how does someone, say someone like me become a member? Is there an
- > application?
- >
- > Can I get a list of current members after I become a member?
- >
- > I understand other commissioners are mmbbers and for the good of the
- > community we should have unity
- >
- > Bob Barnas
- > High Springs City Commissioner
- >
- >
- >

> On Wed, Dec 5, 2012 at 8:02 PM, Sharon Yeago <sharon@yeago.net> wrote:

- >>
- >> Dear Bob, Lee and Scott,
- >>
- >> I am the official spokesperson for the Concerned Citizens group. I

>> have handled all publicity and development of public policy
>> statements.
>>
>> As you may also know, we are a group of concerned citizens. We are
>> not incorporated, have no fictitious name registration and therefore
>> do not have a bank account. We do have a Steering Committee (copied
>> here.) A list of our public supporters is attached for your record
>> and to clarify 'who are these people?' This was published in Alachua
>> Today. Please feel free to distribute to anyone requiring clarity.
>> While there are many names of prominent citizens, most of those listed
>> are regular folks who just live and/or work in High Springs.
>>
>> For clarification, we have absolutely no affiliation with any other
>> organization, including the HS CDC and I would appreciate it if you
>> would keep that in mind during future public statements about our
>> group. Most of the supporters of CCFBHS are actively engaged in their
>> community, whether at church, their childrens' school, the community
>> theater, or other groups and so it would stand to reason that they
>> would be affiliated with one organization or another. We include
>> Republicans, Democrats, liberals, moderates and one supporter who
>> describes herself as 'right of the Tea Party.' Our supporters
>> comprise all aspects of community life in High Springs.
>>
>> If you require a mailing address, please feel free to use either my
>> personal residence at 21120 NW 132 Lane, High Springs, FL 32643, or PO
>> Box 2114, High Springs, FL 32655-2114, which I have maintained for
>> more than a dozen years.
>>
>> Regarding donations, we are accepting gifts and gift certificates as
>> well as food and volunteer time for the Holiday Gathering event which
>> is a dinner for City employees and their families. In addition to
>> food, gifts will be distributed. Many citizens are coming forward to
>> help with this dinner.
>>
>> As a point of reference since we don't each other very well, I served
>> the City of High Springs for 8 years as an independent contractor that
>> developed and managed the High Springs Farmers Market from 2000 to
>> 2008.
>>
>> I was also a consultant to the City many years ago when the City tried
>> to save the Youth Center which was previously located in the Old
>> School. In both cases, I was specifically requested to serve by the
>> City Commission (we were under a mayor form of government back then.)
>> I have worked very closely with city staff for a long time and have a
>> fondness and respect for our government and the people who work for
>> us, the taxpayers.
>>
>> Please direct any questions, concerns or issues to me should they
>> arise. I will be most happy to respond as quickly and completely as
>> possible so that there are no further issues with miscommunication or
>> distribution of incorrect information
>>
>> Thank you for your service to our City.
>>
>> Take care, Sharon
>>
>>
>>
>> Begin forwarded message:

>>
 >> From: Bob Barnas <bbarnas@highspringsfl.com>
 >> Subject: Concerned Citizens for a Better High Springs
 >> Date: December 5, 2012 3:46:53 PM EST
 >> To: Lee Vincent <lvincen@highspringsfl.com>, Scott Walker
 >> <scotw@highspringsfl.com>, Suzanne C. Ogden <scogden@highspringsfl.com>

>> Lee and Scott,

>>
 >> I asked Jenny today for an address for the group. She has no physical
 >> address linked to this group. I would like to know iff this is OK? Is
 >> it OK to give the use of the "Old School" to a group that has no
 >> single spokesperson as their head and no address to correspond with
 >> should there ever be an issue going down the road? They are asking the
 >> community on Facebook for donations. It does not say to the city, or
 >> to them.

>>
 >> The only thing Jenny has is that the email from them that they use was
 >> linked to a request from Ross Amborse. So if he is their spokesperson
 >> or person that organized the group fine, just let us know so we can
 >> send a thank you card or documents we may have to deal with Ed
 >> McKinnon, Sharron Yeago, Linda Jones.....who is actually the
 >> responsible person for the grassroots group? Are they at the address of
 >> CDC? I think we need to know.

>>
 >> While there are many prominent names in the group, I have been asked
 >> who are these people?

>>
 >> cc: hscrize.us@tmail.com
 >> Bob Barnas
 >> High Springs City Commissioner
 >> 352-508-7055

>> *Please note:*

>>
 >> Florida has a very broad public records law. Most written communication,
 >> including e-mail addresses, to or from the City regarding City business
 >> are
 >> public records available to the public and Media upon request. Your e-mail
 >> communication may be subject to public disclosure.

>> -
 >> Sharon L. Yeago
 >> 352-415-6317 phone
 >> 352-256-0115 cell

>> -----
 >> "The first wealth is health."
 >> - Ralph Waldo Emerson

>>
 >> "Let thy food be thy medicine and thy medicine be thy food "
 >> - Hippocrates

11/17
2

- >
- > -
- > Bob Barnas
- > High Springs City Commissioner
- > 352-538-7366
- >
- > *Please note:*
- >
- > Florida has a very broad public records law. Most written communication,
- > including e-mail addresses, to or from the City regarding City business are
- > public records available to the public and Media upon request. Your e-mail
- > communication may be subject to public disclosure.
- >
- >

--
 Sharon L. Yeago
 326-418-8017 phone
 352-256-8116 cel

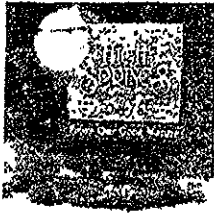
 "The first wealth is health."
 - Ralph Waldo Emerson

"Let thy food be thy medicine and thy medicine be thy food."
 - Hippocrates

Search for people, pages and things

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Concerned Citizens For A Better High Springs

Liked

126 likes 2 talking about this

Community

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future

126

About - Suggest an Edit

Photos

Likes

posts



Concerned Citizens For A Better High Springs
3 hours ago

Code Of Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The Issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the last Commission Meeting.

"Good evening Mayor & Commissioners,

My name is Linda Jones and I am a resident of Edgemore in High Springs. I am speaking tonight on behalf of the Concerned Citizens group, where I serve on the Steering Committee.

Last fall, when our Mission Statement was drafted, we publicly defined four Principles that would guide our group. This included, "Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents." Adopting a Code of Conduct for our city leaders is consistent with this principle and we encourage the Commission to do so.

The City of High Springs is not breaking new ground by considering such a code. The cities of Bradenton and St. Pete here in Florida have recently adopted such codes, ones I can only assume our City Attorney has reviewed in preparing the Resolution you are considering tonight. The Internet, Social Media, availability of video cameras in everyone's cell phone are just some of the driving forces behind the need for our city to provide clear guidance and expectations for our officials. The job of representing the city is a 24/7 responsibility where it is not easy, if not at times impossible, to make the distinction between personal comment and action vs that of a representative

Concerned Citizens believes that it is the duty of our representatives to be held to a higher standard as should be detailed in an adopted Code of Conduct. Please vote to support such a code or explain to the community why the proposed code is not being supported.

Thank you."



Concerned Citizens For A Better High Springs
March 15

Everyone Wants To Make A Difference.

Cancer effects so many at so many levels. The Soup-R-Sweet Social is your opportunity to say that you understand or have been effected.

THIS SATURDAY - March 16th from 5:30 to 8 PM (FOR ONLY \$5 + a non-perishable food item) you can show your support for the fight against cancer

Your donated food item will go to the community pantry run by Catholic Char. See more

Share

Diana Potter, Janis Cataldo Barnett, Jim Dodson and 5 others like this



Misty Mae Hinson: Where is this being held? Would have been good to know about this a little sooner?
March 15 at 6:41am via mobile



Concerned Citizens For A Better High Springs: The Soup-R-Sweet Event is being held at the Women's Club in High Springs. The information and request to pass this information along was provided to us on Thursday. Hope your plans are flexible enough to make it and support these community groups.
March 15 at 10:13am



Concerned Citizens For A Better High Springs
February 6

Heather McCall Caballero posted this and we also wanted to share this information with the community He was a very good public servant and will be missed

Sgt Chuck Harper lost his fight with cancer this evening. For those of you who may not know him, Sgt Harper was the HSPD officer who responded to the shooting at our school. He has fought a long hard battle and I ask that you pray for the family he has left behind.

Share

6 1 3



Concerned Citizens For A Better High Springs
December 14, 2012

Christmas Party for employees (29 photos)
Old School House first event. Dec. 14, 2012

00000

About

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

Description

'Good Policy equals good government'

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com.

Basic Info

Founded: September 28, 2012

History by Year

2012: Founded on September 28, 2012

Founded on September 28, 2012

In High Springs, Florida.

4 people like this.



Sharon Kantor: How do we go about making High Springs better?? I am willing to work at it
September 17, 2012 at 7:48pm 1



Concerned Citizens For A Better High Springs: Keep up to date with this page. Opportunities to meet, discuss and create | to review and implement will be forthcoming.
September 17, 2012 at 8:39pm 1



Robert McClellan: Whatever happened to the vision of a vibrant little Main street town, with cafes and upscale shops? Instead ministries, empty storefronts and second-hand junk shops. And I thought the city was going to turn Poe Springs into the eco-tx I am very disappointed.
September 21, 2012 at 9:49am



Sharon Yeago: watch this sapce for more information!
September 28, 2012 at 10:18am



Genie O'Brien @ Robert, I heard on NPR WUFT radio the other day that Poe Springs Park has been turned back over to the C Springs, and the ongoing problems rebuilding the concrete steps was mentioned. At the end of the segment they said "mayb....
September 28, 2012 at 2:24pm 1



Genie O'Brien: Thank you for the invitation to like this page and get involved. Technically I live in an unincorporated area betw High Springs but if my input and or participation in helping to restore civility and sanity in the City of High Springs is welcome, assist however I can.
September 28, 2012 at 2:26pm



Sharon Yeago: we'll add your name to our effort, thanks Genie!
September 28, 2012 at 2:34am 1



Susan Jefferbaum Esq.: Tell your friends about this effort. It is important that word gets out. If we all work together we can
September 28, 2012 at 2:46pm



Concerned Citizens For A Better High Springs: Sharon Kantor, Robert McClellan, please let us know if we can add your na supporters. See more information above that has been added. We can email you our founding Mission Statement and Principle
September 28, 2012 at 2:47pm 1



Sharon Britton: Please add me to your list. I am thankful to have a successful business in High Springs, but more civility and would definitely encourage me to keep it here. Let me know what I can do.
September 28, 2012 at 3:47pm 4



Back In Balance Natural Health Care: I am so happy to see I am not the only one concerned about the way things are hap this time. I often feel like "Alice in Wonderland" that has dropped down the rabbit hole and things just keep getting curiouser a see the charm and charachter of our town restored.
September 30, 2012 at 5:45pm 2



Jayne Orr: Sign me up. I have watched as many others have, our community fall apart. A few years ago we helped shape the f seems like now we are just watching people in power fight with no sense of how they are affecting the lives of so many. An opt beginning. Thanks.
October 1, 2012 at 7:53am 1

Citizen Group Forms In High Springs

Staff Reporter

• Mon, Oct 01, 2012



A group of local citizens has formed Concerned Citizens for a Better High Springs in an effort to effect good policy decisions by local government. This newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials, utilizing existing governance structures and creating new policies to improve the wellbeing of the City of High Springs.

According to local resident, John P. Manley, III, one of the initial organizers of the group, "We hope to put before the Citizens of High Springs a series of goals for the management and administration of the City to return it to a balanced, financially viable operation. Additionally, we wish to promote the City Administration as a pro-active catalyst for serving the people and move the City to reach its highest and best potential. We wish to create an environment of appreciation and initiative that works to rebuild the once strong morale amongst the City Staff so they can continue to serve the Citizens with the distinction for friendliness and service they have always had. Finally, we wish to incorporate those near term goals for stabilizing the City into a component of a broader landscape that paints a future picture of the City that all the townspeople can embrace; and work together to accomplish. We want our town to be the kind of town that our children hope to remain in to start their families and raise their children."

The group's mission statement reads, "Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future."

The group developed four Guiding Principles that it is using to educate the community and will offer policy recommendations on these issues:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs is looking for local residents, business owners and others invested in and supportive of its goals. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at www.facebook.com/bosjorn3.

Local

High Springs residents rally to form grassroots group

Details Published on Monday, 08 October 2012 15:32 Written by C. J. WALKER News 3/5

16

[Comments](#)



Concerned Citizens for a Better High Springs hosted a lunch for City employees on the heels of a 6.07 percent pay cut.

HIGH SPRINGS – Members of the newly-formed group, “Concerned Citizens for a Better High Springs” (CCBHS), delivered lunch on Wednesday, Oct. 3, for City of High Springs employees affected by the recent 6.07 percent salary cut to all non-union City employees.

“We want to encourage our City employees to hang in there by providing support in a meaningful way,” said CCBHS Publicity Chair Sharon Yeago. “Our employees are taking a financial hit for the benefit of the city. We want them to know how much we appreciate their efforts and supplying lunch is one small way we can help relieve one burden, the financial responsibility of lunch, and show our appreciation,” said Yeago.

The group, which has grown to more than 150 members in fewer than five days, was “formed to support good policy decisions in our government,” said CCBHS Steering Committee Chair and High Springs resident John Manley. Other members of the Steering Committee include local residents Becky Johnson, Bob Jones and Linda Jones.

Both Yeago and Manley are proud that they were able to attract so many citizens interested in supporting good policy decisions by city government in such a short time using Facebook, email and personal outreach.

“We are a nonpolitical, nonpartisan organization,” explained Yeago. The group has already created a mission statement and guiding principles, which are all listed on the organization’s Facebook page. The group’s mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs’ reputation as a fair and open government that is inclusive, open and fair.

Steering and Events committees have been established by the group,” said Yeago. One of the first actions of the Events Committee is the provision of Wednesday’s lunch for non-union city employees. Events Committee members include Ed MacKinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb.

"This citizens group came together out of a deep concern and love for the city of High Springs. This city is at a crossroads," Manley said. "We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the citizens can get behind and work to make happen," explained Manley.

"We are encouraging citizen participation in deciding the direction of our city," said Yeago. "This is a group to help our government consider policy decisions that make our city viable," she said. "Our group has no political agenda. We just want to help the city make the best decisions they can for our citizens and the future of High Springs," she said.

Yeago explained further, "Our agenda is based on good policy and we will be making what we consider to be good policy recommendations on an ongoing basis. Good policy transcends politics. It's not about who happens to be in the office at the moment. It's about how our government serves its citizens now and in the future."

"What we're trying to do is develop solutions for what we feel are the problems we now have," Manley said. "We are a strategic group, not a political group," he insisted. "Politics is not a part of what we're doing. We want to contribute solutions and encourage other citizens to get involved to help do the same," he said.

"We have problems that may take 5 or 10 years...or possibly more, to solve. Previous commissions made decisions under different economic conditions than we have today. Perhaps we have to look at earlier decisions in a different light given our current economic condition. We want a city that is professional and well run," he said. "We just want to participate in the process."

Anyone interested in more information about Concerned Citizens for a Better High Springs may locate their website on Facebook or contact a member of the organization.

#

email Cwaiker@alachuatoday.com

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. **The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.**
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service.

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

2. **The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.**
 - a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
 - b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices.
 - c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

3. **The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance**
 - a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices.
 - b. The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

- a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
- b) **Brick & Mortar** - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyuri.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

reminds you to

to ensure your voice is heard in High Springs!

**SAMPLE GENERAL ELECTION BALLOT
ALACHUA COUNTY, FLORIDA
NOVEMBER 6, 2012**

VOTE BOTH SIDES OF BALLOT

Page 4 of 4

Go ALL the Way!

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Byran Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

Scott Jamison

Edward "Ed" Riess

**PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1**

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN

- 1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000,
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000 but always projected at less than the City's cost;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years, and an expected further drop of at least 9%, making the local dispatch center's increased cost inappropriate at this time.

THEREFORE, WE BELIEVE Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford

- 2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

- a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour;
- b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices;
- c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

THEREFORE, WE BELIEVE. The morale of the City's valued employees is frighteningly low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.

- 3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance.

- a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices,
- b. The City has been operating without an experienced City Manager, City Attorney, City Planner, City Engineer, Public Works Director, full time Codes Enforcement Officer, full time Utilities Operator, and full time Parks and Recreation staff leaving the City with a significant loss of institutional knowledge making it very vulnerable in all phases of operation and management oversight,
- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from, \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

THEREFORE, WE BELIEVE: The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.

- 4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

a) Water & Sewer- Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event.

Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again;

b) Brick & Mortar - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

THEREFORE, WE BELIEVE Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:
a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla Stat Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>.

Fclick this link will provide you with your very own copy of our Five Key Areas of Concern:
<https://docs.google.com/open?id=0B8weOLLp-es6L1SWlhL1Gh2ef.0>

Please share!

5 Points.pdf - Google Drive

<https://docs.google.com/open?id=0B8weOLLp-es6L1SWlhL1Gh2ef.0>



As of Friday night 9/28/2002, if the information is correct, it appears that Edward Riess has thrown in the towel leaving Scott Jamison to retain Seat 5 unopposed. That leaves Patrick Rush to run against Byran Williams for Seat 4 the seat now held by Dean Davis who is all too friendly with Rush.

Dean's close friend Robyn Rush instructed Davis to support Pat Rush and Davis is going around town putting up "Vote For Rush" signs.

We must remember Pat Rush as the sole owner of "Pat's Place" a coffee shop on Main street that went out of business. He couldn't blame anyone else for his businesses' demise because he made all the decisions. How can any citizen of High Springs even think of voting for someone who couldn't successfully run his own small business to run our City's big business?

Everyone should send the present triumvirate a clear message that we the people, who this trio works for, can't take their lack of professionalism anymore. We will vote for Byran Williams because he has nothing to hide about his past and wants the chance to do damage control and better position High Springs to thrive once again by bringing in much needed jobs.

1. Concerned Citizens For A Better High Springs

11/14/2012

Volunteers spent time during the Community Garage Sale today talking with folks about what has been happening in our community and the policy's we would like the City and Commission to focus on. Please let us know if you would like to be on the email list by emailing HSCitizens@Gmail.com. Thank you to everyone that helped today, stopped by or provided food!



Top of Form

- 111Share
- 11 people like this
- View 1 comment

Bottom of Form

1 Concerned Citizens For A Better High Springs . . . link

September 30, 2012

Please join our group to help change this!



Political turmoil continues to bubble in High Springs

www.gainesville.com

It was quiet in High Springs on Thursday night, from the empty sidewalks and darkened storefronts to the surprisingly cordial City Commission meeting.

Top of Form

- 22Share
- 2 people like this
- View all 2 comments

Bottom of Form

1. Concerned Citizens For A Better High Springs [click here](#)

October 23, 2012

October 23, 2012

**CITIZEN GROUP ENCOURAGES HIGH SPRINGS VOTERS TO 'GO ALL THE WAY' TO THE END OF THE
BALLOT;
CHECK YOUR POLLING LOCATIONS AND
ANNOUNCES THAT RIDES ARE AVAILABLE TO THE POLLS**

Concerned Citizens for a Better High Springs enCO.....See More

Alachua County SOE Mobile Web Site

elections alachua.fl.us

2. Type in your street name You do not need to enter the direction or street type. Example: If you live on East Main Street , type in Main

Concerned Citizens For A Better High Springs
October 31, 2012

Check out this week's Alachua Today for an important message
from us! Thanks SO MUCH for your support!

1 Concerned Citizens For Better High Springs

March 8, 2017

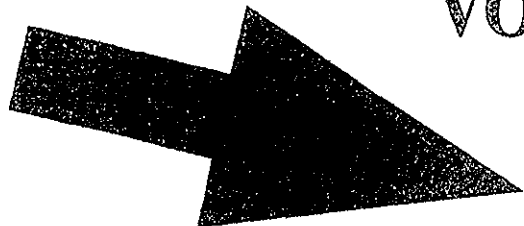
You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building

We are still focused on our Guiding Principles. If you would like a copy or to be added to the list, see here

CONCERNED CITIZENS FOR BETTER HIGH SPRINGS

JOIN US!





VOTE ON NOVEMBER 6TH

GO ALL THE WAY

TO THE END OF THE BALLOT

To ensure your voice is heard!

High Springs Residents... Need a Ride to Vote? We Can Help! Call Sandi at 352-339-4345

**CONCERNED CITIZENS FOR A
BETTER HIGH SPRINGS**

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We, the people...

Susanne Ackermann
 Steffi Hulim Affron
 Christopher Agle
 Ross Ambrose
 Lars Anderson
 Patsy Anderson
 Dickie Arvin
 Shari Asbury
 Carolyn Baker
 Jeannette Banks
 Penny Banks, former City employee
 JoAnne Barrows
 Celeste Beck
 Roger G. Beck, DPM
 Susan J. Beck
 Larry Behnke
 Anne Alfano Bello
 Marilyn Bennett
 Karen Bentz
 Marvin Blankenship
 Susie Blankenship
 David Blutworth
 Alvan Bluhm
 Barbara Bluhm
 Norma Boone
 Donna Bradbrook
 Anna Bradford
 Stacey Breheny
 Sharon Britton
 Jay Bromenschenkel
 Susan Brotherton
 Linda Buccheri
 Heather McCall Caballero
 Valorie Cason
 Pat Caudle
 Dennis Chouinard
 Paula Gavin Cifuentes
 Heather Clarich
 Jeannette Clarich
 Thomas Clarich, Sr.
 Thomas G Clarich
 Suzie Clark
 Hal Cohen
 Linda Cohen
 Tina Collins
 John Comly
 Jim Conner
 Barbara Cox
 Paige Coyle
 Rick Coyle
 Crystal Lane Curran
 Andrew Daugherty
 Carol Daugherty

Karen Wood Davis
 Tom DePeter, former City
 Commissioner/City Attorney
 Joan Dickson
 Ron Dickson
 Deborah Douglas
 Jen Drow
 Dawn Lange Drumm
 Ronald DuPont, Jr.
 Saroj Earl
 Terry Enima
 Shannon Erickson
 Darin Erskin
 Holly Erskine
 William Eyerly
 Jennifer Forrester
 Earl Gabriel
 Lucille Gabriel
 Debbie Gamber
 Maggie Gamber
 Jim Gamberton
 Erin Gardner
 Sandi Gardner
 Peter George
 Allan Graetz
 Laura Graetz
 Randy Graetz
 Alice Green
 Patricia Grunder
 Donald Gudbrandsen
 Elaine Gudbrandsen
 Constance Heuss
 Michael Heuss
 Linda Hewlett
 Tom Hewlett
 Linda Heyl
 Kim Simmons Hill
 Brian Hinote
 Misty Mead Hinson
 Albert Isaac
 Lynn Jamison
 Scott Jamison, City Commissioner
 Loyce A Jones
 Becky Johnson, Steering Committee
 David Johnson
 Bob Jones, Steering Committee
 Linda Jones, Steering Committee
 Willa Jones
 Sharon Kantor
 Judi Kearney
 Mike Kearney
 Wanda Kemp
 Barbara Kowats

Bradley Kyes
 Alva Luncaster
 Karna Norjin Lhamo
 Karen Koch LeMonnier
 Arlene Dorin Levine
 Gene Levine
 Nancy Linkous
 Tim Linkous
 Michael Loveday
 Christopher Locke
 Angie Lovelock
 Buck Machete
 Cindy MacKinnon
 Ed MacKinnon
 Francis MacKinnon
 Michael Mahoney
 Terry Maltbie
 John P Manley III, Steering Committee
 Sharon Manley
 Kathy Clarich Matheny
 Sanford Matheny
 Barbara Martin
 Dr. Tony Matheny
 Herb Matilsky
 Robert McClellan
 Thomas McDonald
 Marilyn Mesh
 Dena Meyerhoff
 Steve Meyerhoff
 Barbara G Miller
 Donna Mogler
 Henry Mogler
 Scott Mogler
 Aaron Morphet
 Patti Moser
 Betty Muller
 Patty Napier
 Diane Norton
 Genie O'Brien
 Sylvia Odom
 Vanessa Oppel
 Jayne Orr
 Cynthia Pailthorpe
 Betsy Patterson
 Monalisa Phelps
 Andy Phillips
 Peter Pinter
 Richard Pis
 Christian Popoli, former City Planner
 Christy Popoli
 Nellie Reed
 Lucie Regensdorf
 Paul Regensdorf
 Maggie Riggall
 Cathy Rivers
 Russell A Roberts
 Sanna Saare
 Teri J Salomon

Julie Gamber Samosuk
 Lynda Shutter Schladant
 Saroj Shana
 Leslie Smith
 Mike Smith
 Ashley Spence
 Janet Stein
 Jim Stein
 Darryl Steinhauser
 Heidi Tapanes
 Rick Testa
 Betsy Thomason
 Scott Thomason
 Nancy Torres
 Dorsey Travis
 Larry Travis, former City Commissioner
 Joanne Tremblay
 Sharon Tugman
 Jan Walker
 Jim Walker
 Toni Warner, former City employee
 Marlon Watkins
 Damon Watson
 Sandra Webb
 Sue Weller, City Commissioner
 Tom Weller
 Susie Westfall
 Jennifer Whimey
 Byron Williams, Candidate for City
 Commission
 Mike Williamson
 Charlett Wilson
 Sonja Moore Wilson
 Carol Wiltbank
 Lee Wiltbank
 Jim Wood
 Sally Wood
 Tom Work
 Sharon Yeago
 Larry Zorovich

Local Businesses
 Adventure Outpost
 Back in Balance Natural Health Care
 Dive Pub & Grub
 Enchanted Memories
 Flying Fish
 GoHighSprings.com
 Grady House Bed & Breakfast
 GLA Consulting Group
 High Springs Copy Center
 Pampered Paws
 The Wellness Spa
 The Workshop

PLEASE JOIN US by emailing us
 at hscitizens@gmail.com or "Like"
 us on Facebook.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla.Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

CASE NO.: 13-125

RESPONSE OF RESPONDENT SHARON YEAGO
TO COMPLAINT IN FEC CASE NO. 13-125

The Respondent, Sharon Yeago files this Response to the Complaint filed against her in this Florida Elections Commission matter, Case No. FEC 13-125, and would respectfully show the Commission as follows:

1. Purposes of this Response: This Response will fulfill three purposes that are equally important in the proceedings of this Commission.

a. First, foremost, and most simply, this Response will demonstrate that the Complaint of Mr. Barnas is legally insufficient, on its face and as a matter of law, and should be denied, dismissed and stricken.

b. Second, this Response, the very attachments to the Complaint themselves, and the attachments to this Response, will further establish that, not only is the Complaint legally insufficient, it is also factually devoid of truth on its key points, incorrect, willfully false, and clearly known by Mr. Barnas to have been so prior to its filing.

Yeago Ex 2

c. Third, because of the points that will be conclusively established in the first two purposes above, this Response will lay the groundwork for a Petition for Attorneys Fees, Sanctions, and Such Other Penalties as the Commission Deems Appropriate, which will be promptly filed within 30 days of the dismissal of this Complaint, pursuant to this Commission's Rule 2B-1.0045, and Florida Statute §106.265(1) and (6). On page 3 of his Complaint [R-00005], Mr. Barnas urges this Commission "to bring to bear its power and authority" in this matter. Respondent agrees 100%. But once that power and authority reviews the totally deficient Complaint in this matter and dismisses it, the remainder of this Commission's statutory charge [to penalize those who wrongfully attempt to invoke this Commission's sanctions against a totally innocent group] will, it is believed, compel it to sanction Mr. Barnas, an all-too-frequent "complainer" in the several halls of our State government.

2. **The Complaint is legally insufficient, on its face.**

a. It is a relatively simple task to allege a legally sufficient complaint against an individual/group, charging that they have operated an unregistered Political Committee. For the purposes of this Response, the legal sufficiency would have been essentially satisfied if it could be shown that the individual/group had:

i. Expressly advocated the election or defeat of a candidate, or the passage or defeat of an issue on a public election ballot. [This first point is a simple matter of showing exactly where that express advocacy is found in the Record or elsewhere. This Commission has tens if not hundreds of consent or other final decrees where groups have openly stated "Vote for Jones," or "Vote against Proposition 6." It is painfully easy to allege and prove that a group has expressly advocated a candidate or an issue... when it is true.]

ii. Spent more than \$500 on expressly advocating that election or defeat, or that passage or defeat. [Note: it is not sufficient to suggest only that an individual/group has raised or spent more than \$500 on other activities; the money must be spent on the defined express advocacy. Florida Statute §106.011 clearly states the requirement in this fashion: a political committee is a group "that in an aggregate amount, in excess of \$500...[m]akes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." Again, it is not hard to allege a violation... if one has occurred. You show that the target group (1) expressly advocated for a candidate or an election issue, and then (2) similarly show that it spent in excess of \$500 on the express advocacy. As will be shown, the Complainant is 0 for 2 on these critical requirements.

iii. If points one and two are clearly and sufficiently shown to exist, THEN [if the group has at least two "members"] the provisions of Chapter 106 require a number of steps to be taken since the group could then be deemed a "Political Committee." Sharon Yeago readily admits that neither she nor the Concerned Citizens for a Better High Springs group complied, or even attempted to comply, with these statutory requirements, because there was no reason to. Neither she nor the Concerned Citizens group is or was a political committee and the group never expressly advocated any action that would trigger the requirements of Chapter 106. The Respondent does not claim ignorance of the law; rather the Record before this Commission shows a scrupulous compliance with the law, a compliance that the Complainant, Mr. Barnas' own materials establish and which simultaneously prove the actionable misconduct of the Complainant, as that conduct is defined in Rules 2B-1.002 and 2B.1.0045 and Florida Statute §106.265.

b The Complaint, at first blush, "appears" to make some general conclusory allegations that could conceivably lead to a legally actionable [or "sufficient"] complaint, if the supporting materials were at all consistent with the allegations and proved (1) express advocacy and (2) an expenditure of more than \$500 in that advocacy. For example, Mr. Barnas, the Complainant, states [under oath] in paragraph 3 of the Commission's form [Record-000001] that the

Concerned Citizens group was formed "specifically to oppose a ballot referendum." Similarly, on page 1 of the Complaint's narrative [R-000003] it is alleged that the group [the Concerned Citizens For a Better High Springs] was "organized to oppose a specific issue," and again on that same page it is alleged that the group was formed "to defeat the ballot issue" and now adds that the group was also formed to "support and support [sic] the election of Byran Williams and Scott Jamison." [Id]

c. Again, on page 2 of the narrative, Mr. Barnas alleges that the group made "expenditures" for "the defeat of the ballot issue."

d. What is exceedingly odd about these allegations of the Complainant is that not one -- not a single one -- is coupled with any quoted materials of the Concerned Citizens group that actually DID expressly advocate the defeat of the ordinance or DID advocate the election of anyone, or the defeat of anyone.

e. There is no material issued by the Concerned Citizens group that the Complainant cites or quotes or refers to for either proposition...for one simple reason: the group never expressly advocated for or against the ballot charter amendment nor did it ever expressly advocate for or against any candidate. The Complainant asks the Commission or its staff to check out his materials. The Respondent agrees with THAT request in spades. Seldom has a group more

painstakingly documented its guiding principles and mission than did this group. It was loudly committed to a return to professional management and civility in High Springs, after a disastrous course of neither under the one year of control by the then majority [none of whom were on the ballot], including the Complainant.

f. The absence of any specific [or even general] statement being cited by the Complainant in his abortive effort to claim that the Concerned Citizens group was advocating any position in the election speaks volumes. The Complainant's charges are made up and imaginary. They have no basis in fact whatsoever, and the very materials he asks this Commission to look at prove conclusively that this group, pushing for a return to good government, refused to get into the gutter of local politics in High Springs as politics existed in the Fall of 2012, and avoided every single one of the negative and provably false charges that the Complainant asserts. The fact that the Complainant has the temerity to make these patently false allegations in the face of clear materials to the contrary -- that he attaches to his Complain -- proves the ill-motive and actionable intent of Mr. Barnas, under Rules 2B-1.002 and 2B-1.0045, and Florida Statute §106.265. This critical component of this Commission's responsibilities will be expanded on in the final portion of this Response and in the above described Petition that will be filed within 30 days following the dismissal of this Complaint.

g. The legal insufficiency of the Complaint is amply demonstrated by the fact that the documents that were actually written by and statements made by The Concerned Citizens for a Better High Springs uniformly avoid making any express advocacy for any candidate or any issue on the ballot. The Complainant clearly knew that this was the case (despite his sworn allegations to the contrary); two specific allegations demonstrate the ill will of the Complainant.

h. First, Mr. Barnas, the Complainant, makes reference to a sign that urged a no vote on the charter amendment. He claims (again, "under oath") that there were "two four ft x four ft" "Vote No" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places." No photograph of these signs is submitted and no other effort is made to link them to the group that the Respondent was a sometimes spokesman for other than to say (without definition) that they were "with CCFBHS disclaimers."

i. Attached to this response and discussed in greater detail in the next section of this response are the affidavits of the Respondent and of the individual who bought the signs and personally created them, without any assistance whatsoever from the Concerned Citizens group, without any support by it, and without any acceptance of the language by the Group. In short, because a citizen

urged fellow citizens to vote no, the Complainant has accused Ms. Yeago, under oath, of doing something that she [and the Concerned Citizen's group] had absolutely nothing to do with. The reason for these allegations, and the motivations for this unprincipled attack on her, will be clear.

j. The second point raised is a statement in the Complaint that a High Springs resident (Gene Levine) urged the citizens of High Springs to vote no on the charter amendment. It is claimed that Mr. Levine posted this on the Facebook page of the group (along with hundreds of other posts of all different sorts). Significantly, there is no allegation that Mr. Levine's statement itself claims to have been on behalf of the Concerned Citizens group (because it was not and Mr. Levine did not claim it to be), there is no allegation that the Concerned Citizens group agreed with this, advocated this, or joined Mr. Levine's opinions (because they did not in any form or fashion), and there is no argument why somehow a person whose Facebook page has something posted to it becomes an express advocate for each and every such statement. In fact the law in the United States is directly to the contrary. *See* Section 320 of the Communications Decency Act, 47 U.S.C. §230.

k. The Complaint, on its face, is absolutely devoid of any statement, whatsoever, made by The Concerned Citizens For a Better High Springs which in

anyway advocated the election or defeat of any candidate in the election or the passage or defeat of any issue on the November 2012 ballot in the City of High Springs. Mr. Barnas is a serial "complainer" before numerous boards, commissions, and associations in the State of Florida and apparently takes some joy or solace in serving as a Commissioner by means of a rule of threats and intimidation. This Commission, on the face of the Complaint, can easily and readily acknowledge and determine that the Complaint is legally insufficient and should be dismissed without further attention. The Concerned Citizens For a Better High Springs, and Ms. Yeago as its sometimes spokesperson, at no time was a Political Committee pursuant to Chapter 106 of the Florida Statutes and consequently had no obligation to comply with the various registration requirements contained in that Chapter for political committees.

1. The Complaint in this cause is an embarrassment and, in an appropriate petition following dismissal, it will be urged that this Commission sanction Mr. Barnas for bringing this matter before the Commission willfully, maliciously, and for improper motives, all of which subject him to the sanction of this Commission and to the payment of the attorneys' fees of the Respondent for preparing this response

3. The Concerned Citizens For a Better High Springs is not and never was a Political Committee.

a. As set forth in extensive detail above, the Complaint and the documents attached thereto conclusively establish that the representations made under oath by the Complainant that the Concerned Citizens group had taken a position on the ballot charter amendment issue are patently false and were known by the Complainant to be false when they were filed. The materials on their face demonstrate that the Concerned Citizens group clearly published their list of principles and mission statement and none of them addressed, directly or indirectly, either the issue of the charter amendment nor the or defeat of that matter, nor the election of any individual.

b. To supplement the materials submitted by the Complainant in this cause, affidavits have been submitted to this Commission of the Respondent, Sharon Yeago, and of three citizens of the City of High Springs, Thomas Hewlett, Ross Ambrose, and Ed MacKinnon.

c. Ms. Yeago's affidavit, as the Respondent before this Commission, reiterates in detail that which is clear from the attachments to the Complaint: the Concerned Citizens group had a highly defined and complex set of goals for the City, and none of them expressly advocated for or against an issue on the ballot.

Although the Complainant has attached many of the publications of the Concerned Citizens group (all of which are completely consistent), the very first publication which demonstrates in detail exactly why the group was formed has not been attached and that is now before this Commission in the record, attached to Ms. Yeago's affidavit as Exhibit A to that affidavit. The group was not formed to oppose a charter amendment provision, nor to advocate for or against any candidate. Those matters are simply not addressed whatsoever in the formative documents of this organization. All of these documents were publically circulated in the City of High Springs and the Complainant, Mr. Barnas had full and complete access to all of them and was fully familiar with them prior to the filing of this Complaint [which took place months after the election]. He willfully failed to take note of that which he knew and has misrepresented these critical facts to this Commission.

d. The issue of the two signs that were visible at the election polling places in the City of High Springs are a second and further example of the duplicity of the Complainant in this cause. There is a suggestion that the "vote no" sign at the polls had some sort of a "disclaimer" with respect to the Concerned Citizens group. Nothing could be further from the truth. The affidavit of Mr Hewlett [Exhibit 2 to this Response] and the photographs attached thereto as Exhibits A and B] conclusively demonstrate that the sign urging voters to vote

against the charter amendment was that of Mr. Hewlett and his wife alone, without the consultation with, support from, or payment by the Concerned Citizens group. The sign (a photograph of the front and back of which are attached as Exhibits A and B to Mr. Hewlett's affidavit) contained absolutely no reference whatsoever to the Concerned Citizens group, which was fully and completely consistent with the fact that the sign was Mr. and Mrs. Hewlett's personal statement. Mr. Barnas' sworn statement to this Commission under oath, that this was in some way related to and contained a reference to the Concerned Citizens group is totally and completely false, and provably so...

e. Mr. Barnas' sworn misrepresentations to this Commission of the sign that the Hewletts prepared is made worse by the fact that on election day, Mr. Barnas himself prepared signs urging the voters in the City of High Springs to vote yes. Of course, Mr. Barnas had every right to do that and if he did it by himself, or did it with someone else and spent less than \$500 he would have been able to do so without running afoul of Chapter 106.

f. What in fact Mr. Barnas did, however, as reflected by the affidavit of Mr. Ed MacKinnon [Exhibit 3 to this Response], another citizen of High Springs, was to attempt to hijack the good name and good will of the Concerned Citizens group which had been established in High Springs prior to the election. Mr.

Barnas on his sign, claimed at the bottom (as shown by the blow-up attached to Mr. MacKinnon's affidavit as Exhibits A and B to his affidavit) that the sign was prepared by a "concerned citizen for a better High Springs". Clearly, Mr. Barnas was the only individual attempting to wrongly utilize the name of the Concerned Citizens group when he personally urged a vote for the charter amendment.

g To come before this Commission in a sworn document subject to the pain of perjury and statutory penalties and contend that it was the Concerned Citizens group that put its name on some sign is outrageous, provably false, and should not be condoned by this Commission.

h The final affidavit [Exhibit 4] attached to this Response is by Ross Ambrose, another citizen of High Springs. His affidavit recounts the City Commission's complete failure to fulfill its statutory duties to inform the electorate of the meaning and purpose of the Charter Amendment. The public was completely uninformed by the City about what the majority of its Commissioners wanted to do to the Commission in the future. The citizens deserved to know what they were voting on.

4. The actions of the Complainant, Robert Barnas, were deliberate, malicious, without basis in law or fact, and contrary to this Commission's Rules and to the Florida Statute Chapter 106.

a. The motivation of the Complainant is legally irrelevant to the determination by this Commission that the Complaint he has filed in this cause is legally insufficient. As set forth in painstaking detail above and irrespective of the additional materials furnished by the Respondent in this cause, the Complaint and the record before this Commission on its face, conclusively demonstrates that the Concerned Citizens For a Better High Springs never, at anytime, in any way, through any medium, ever expressly advocated for or against any candidate or for or against any ballot issue. The materials attached conclusively establish that the Concerned Citizens group was scrupulous and law-abiding in its concern for good government. The group focused its attention on a number of good government issues other than those few that were actually on the ballot in November of 2012. The Complainant, for reasons that will become painfully clear to this Commission and its staff, chose to willfully ignore the very materials that he submitted to this Commission. Had he bothered to do look at them even cursorily, any person of average intelligence would clearly have seen that the Concerned Citizens group never expressly advocated anything regarding the November 2012 election.

b. Mr. Barnas cannot ultimately claim that he simply didn't "know" the law, and mistakenly made these false charges. In the very first paragraph of his complaint he urges this Commission and its staff to review one of its own cases, which he had researched "carefully" -- FEC Case No. 06-129, and suggested

[apparently] the similarity of that case to this one. That Consent Order, however, proves the willfulness of his actions here, because the group in that matter had published an advertisement that had expressly stated "Vote for Amendment Five" (a ballot issue on the statewide ballot at that time). If Mr. Barnas had bothered to read that decision closely and compare it to each and every piece of written material published by the Concerned Citizens For a Better High Springs, he should have recognized that the High Springs group was totally and completely within the law. Notwithstanding this fact, the Complainant publicly broadcast his plans for weeks to file this complaint against Ms. Yeago [a woman who works in the public sector and whose livelihood is built on her character and credibility], and announced to all when he finally did so. His actions are malevolent and willful and knowing and without any basis in the law. They cannot be condoned.

b. The additional points that the Complainant, Mr. Barnas, has attempted to use (the signs, etc.) to try and "demonstrate" that the Concerned Citizens group was somehow involved, have also boomeranged. A visual review of the signs shows that the only person in the City of High Springs who attempted to flaunt the law with respect to a political committee was Mr. Barnas himself, who deceptively masqueraded as this nonpartisan political group with his own sign, expressly advocating that the charter amendment be passed. See Exhibits 2 and 3.

b. As noted in the opening portions of this Response, and as will be more extensively described in the Petition that will be promptly filed within thirty (30) days of the dismissal of this Complaint, Mr. Barnas' actions were, candidly, those of a bully. He has acted before this Commission in direct violation of this Commission's rules and of Florida Statute 106 265. He has filed a Complaint which is, on its face, false, vindictive, malicious and actionable under Florida law. He knows the group has done nothing wrong, but his pattern, before this Commission and before several other commissions and associations in the state of Florida, is to shotgun complaints to as many organizations as possible in hopes that he will quell citizen resistance to his inappropriate tactics. It is precisely this form of incivility in small town government that stimulated the creation of the group that Mr. Barnas now attacks. The group's formation had nothing to do with candidates or election issues. It had everything to do with good government.

c. As noted above, Mr. Barnas does not always act quietly and in the shadows. Rather, he loves to publish selected materials and attacks on his website including the details concerning the many complaints (often confidential) that he files before the Florida Ethics Commission, this Commission, the Florida Bar Association, and anyone else who will accept complaints from an individual such as him.

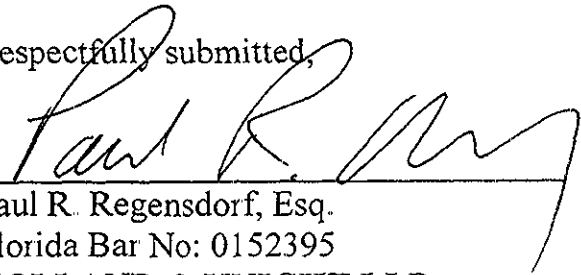
d. In the case of the Concerned Citizens For a Better High Springs, Mr. Barnas through his website long trumpeted the fact that he intended to file this spurious complaint against the group. (See attached composite Exhibit 5). In doing so, it can be seen that Mr. Barnas had ample time to study the statutes, to review the materials, and to educate himself concerning the falsity of the information and charges that he has now put forth to this organization. He chose not to do so. Rather, as reflected by Exhibit 5, Mr. Barnas actually went out and sought advice as to how to file the Complaint and, although wisely no attorney chose to represent him in this matter, Mr. Barnas' published actions demonstrate that he decide to make these false charges knowingly, willfully, maliciously, and in a very public manner, long prior to the actual filing of the Complaint in question.

e. When the Concerned Citizens group, through a different spokesman, made a public statement at a recent City Commission meeting in the City of High Springs on the issue of a need for civility in our City government (one of the group's founding goals) and the passage of a civility code (as is common in many cities throughout the State of Florida), Mr. Barnas in his view of the world gleefully published that he had now identified someone else who was brave enough to stand up and be a spokesperson for this group. Although not named as a respondent in his Complaint, he claimed that this proud public statement as basis for his now filing the Complaint in question. Despite the widely published steering

committee and the names of hundreds who supported the Mission of the group, Mr. Barnas went after the spokespeople.

f. It is respectfully suggested to this Commission and its staff that the conduct of the Complainant before this Commission (let alone the conduct of this same individual before numerous other organizations and bodies in the State of Florida) is in violation of Florida law and subject to the sanction of this body by way of penalty, attorneys' fees and such other relief as this body deems appropriate. Upon the dismissal of the charges before this Commission against Ms. Yeago, a subsequent Petition pursuant to Rule 1B-1.0045 and Florida Statute §106.265 will be made, formally requesting these payments and sanctions from and against Mr. Barnas.

Respectfully submitted,



Paul R. Regensdorf, Esq.
Florida Bar No: 0152395
HOLLAND & KNIGHT LLP
50 N. Laura St., Ste 3900
Jacksonville, FL 32202
Phone: 904-353-2000
Fax: 904-358-1872
E-Mail: paul.regensdorf@hklaw.com

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
Case No. FEC 13-125

AFFIDAVIT OF RESPONDENT SHARON YEAGO

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Sharon Yeago who, after being duly sworn on oath stated as follows:

1. My name is Sharon Yeago and I have lived in the High Springs, Florida area for the last 14 years. My current residence address is 21120 NW 132 Lane, High Springs, Florida 32643.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct.

3. In the fall of 2012, a group of citizens in the High Springs area got together informally because they were very concerned about the unprofessional and partisan behavior of City elected officials and the detrimental effect it was having on City operations and staff morale. This informal group, which was a gathering of local residents, business owners and other concerned individuals, took on the name of Concerned Citizens for a Better High Springs. There was no formal organization of the group other than a steering committee that arose from the need to organize meetings, activities and record our concerns, mission and principles in writing. I functioned from time to time as a spokesperson for the group, and assisted in preparation of certain materials and in creating certain press releases concerning the mission and principles of this group.

4. The Concerned Citizens for a Better High Springs carefully crafted and documented its concerns as well as its mission and principles that it wished to work toward. The group at no time issued any statement nor made any other comment expressly advocating the election or defeat of any candidate to the City Commission, nor did it expressly advocate for the



approval of, nor against the passage of, the charter amendment that was on the ballot in November 2012.

5. The Complainant, Bob Barnas, is and was a High Springs City Commissioner at the time of our group's coming together in the Fall of 2012 and held the position of Vice Mayor. Mr. Barnas was not running for election in November 2012 and, despite his primary role in the creation of a hostile atmosphere created by unprofessional and partisan behavior by members of the City Commission, neither his name nor any specific or general reference to him is found in any of the materials issued by The Concerned Citizens for a Better High Springs group.

6. A careful review of all of the materials prepared by Concerned Citizens for a Better High Springs, including each and every document attached to Mr. Barnas' complaint in this case, conclusively establishes, without any question of fact whatsoever, that Concerned Citizens for a Better High Springs group did not expressly advocate for or against any candidate, nor for or against any specific issue on the November 2012 ballot, nor was it formed to do either. The group was extremely careful to stay out of the immediate politics of the November 2012 election and so stated in all of its materials.

7. As established in the public records and a separate lawsuit brought by a resident of the City of High Springs concerning the ballot initiative, Mr. Barnas personally invested a great deal of personal and political energy to force the issue of a spending limitations onto the ballot despite the advice of the then-current City Attorney, the former City Attorney, and ultimately the current City Attorney of the City of High Springs. His precipitous actions were contrary to Florida law, had not been properly noticed, and were therefore void. The Complainant did not heed that advice from those individuals.

8. Once that ballot initiative for the charter amendment was passed by the Commission (in contravention of the City Attorney's advice), the City was under a statutory obligation to present information to the electorate concerning the proposed amendment and what the amendment was supposed to do. Ballot summaries were to be placed at the polling stations and not one of these activities was performed by the complainant, then Vice Mayor, or by the City Commission.

9. The Complainant-sponsored charter amendment actually passed on the vote [in the absence of the statutorily-required explanation of its terms], but was preliminarily enjoined by the Circuit Court in the Eighth Circuit, Judge Griffis, and later struck as void ab initio when the new City Attorney ultimately acknowledged the fatal defects and confessed error concerning the actions of the then City Commission majority, including Vice Mayor Bob Barnas, the Complainant.

10. To partially fill this vacuum of public information regarding the issue, Concerned Citizens for a Better High Springs included some information in one release that was a factually accurate statement concerning what the ordinance did and how it was supposed to work. The proposed amendment, which was designed to provide a strict limitation on the power of city government to borrow money and conduct its business, was factually identified as such by Concerned Citizens for a Better High Springs. Such concerns never lead the group to expressly advocate either the passage or defeat of the ordinance. Quite to the contrary, material published by this group expressly told the citizens that the considerations of the effects on future government "should be carefully explored by the citizens before election day when considering this amendment." The voters were to decide what type of government they wanted.

11. A statement I made in an early press release concerning this group accurately sets forth what this group stood for.

We are a nonpolitical, nonpartisan organization [I explained] the group has already created a mission statement and guiding principles, which are all listed on the organization's Facebook page. The group's mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs reputation as a fair and open government that is inclusive, open and fair.

A copy of the group's original policy statement concerning the desire for good government is attached as exhibit A to this affidavit. As with each and every other statement from this group, it did not expressly advocate any candidate or election issue and the unsupported statements of the Complainant, contradicted by his own attached materials, do not change that reality.

12. The Concerned Citizens group at no time held any fundraising events. During one of our first meetings, we passed the hat to cover any potential costs of printing our information or a group banner for any public events we were able to attend [well under \$500.]. No bank account was established. At no time did we assist in the preparation of, or purchase, or commission or approve any documents, signs, or banners favoring or not favoring any candidate or the passage of the charter amendment in question. Because the November 2012 ballot was quite long --approximately four (4) pages for High Spring's voting districts -- and because the City of High Springs' election matters were on the very last page of this long ballot, at the end, the group purchased a full-page ad in the Alachua Today newspaper on the Thursday before the election to encourage voters to "Go All The Way" to the end of the ballot to vote on the High Springs candidates and charter amendment issue. This ad [included in the Record at R-000031-32] also set out our guiding principles, but does not in any manner whatsoever, speak for or

against any issue or individual on the ballot in November 2012. In addition to the full page ad, we issued a press release and handed out flyers at community events also encouraging voters to "Go All The Way" to the end of the long ballot. None of these materials, as reflected in this Commission's Record, expressly advocated any issue or candidate on the ballot. To suggest that they do, in the face of the materials themselves, is a deliberate attempt to mislead this Commission.

13. Mr. Barnas publishes a blog or website page frequently in which he "comments" on activities in the High Springs area. For weeks before he filed this complaint against me he announced publically his intention to file an Elections Commission complaint and proudly discussed the "advice" that he had obtained in the preparation of the very complaint that he filed before this Commission. He also bragged about filing the complaint after he filed it. [See attached exhibits]. Any individual who read the materials that he attached to this Complaint would see that there is not a single statement for or against any individual or any issue contained in any of the Concerned Citizens' materials and Mr. Barnas' complaint to this Commission can only be seen as an attack against me personally, unrelated to any imagined violation of Florida Statutes.

FURTHER AFFIANT SAYETH NOI.

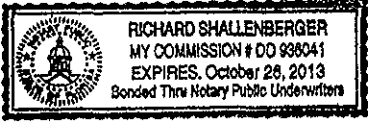

Affiant's Signature

STATE OF FLORIDA

COUNTY OF ALACHUA :

The foregoing instrument was acknowledged this 7TH day of MAY, 2013, by SHARON YEAGO, who is personally known to me or who has produced _____ as identification.

Witness my hand and official seal, this 7th day of ^{MAY} ~~April~~, 2013.





Notary Public
Printed Name
of Notary Richard Shallenberger

Commission Expires: 10/26/13

Commission Number: DD936404

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosiqm3>.



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate; her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p.m., when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission.

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project.

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City.

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs.

Concerned Citizens for a Better High Springs is a nonpartisan nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF THOMAS HEWLETT

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Thomas Hewlett who, after being duly sworn on oath stated as follows:

1 My name is Thomas Hewlett and my residence is 315 SE 6th Lane, in the City of High Springs, Florida.

2 I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct

3 I was aware of the formation of a concerned citizens group in the City of High Springs in the Fall of 2012 because the tenor of City government in High Springs, led largely by the three person majority including the Vice Mayor, Robert Barnas, had become uncivil, unnecessarily contentious, and unacceptable. As a result of these realities in our City, a group of citizens formed an informal organization called the Concerned Citizens For a Better High Springs. I was not on the steering committee of that organization, but I attended several meetings and I am aware of the work that they did and the goals that they set .

4 The Concerned Citizens group developed a number of goals and policies that it wished to advocate, none of which was directly related to supporting the candidacy of any individual, the opposition to any candidate, nor the passage or opposition of any ballot issue on the November 2012 election. In fact, the Concerned Citizens group consciously avoided any such endorsement for or against any individual or any issue so that it could stay above the fray. The issues that the public statements and the newspaper advertisement by this group clearly



raised reflect that commitment to good government, but avoid any endorsement of or expressly advocating for or against any candidate or for or against any issue on the November 2012 ballot.

5. On the November 2012 ballot in the City of High Springs was a charter amendment pushed significantly by the Vice Mayor, Robert Barnas, which was designed to severely limit the power of future city commissions to govern.

6. Since the Concerned Citizens group took no public position whatsoever with respect to that charter amendment, and since the City Commission majority [including Vice-Mayor Barnas] distributed no information of any sort that explained the proposed amendment, my wife Linda and I decided as individual citizens that we would put up signage against the passage of that ordinance. Without any consultation with the Concerned Citizens group, and neither seeking nor obtaining the endorsement or help of any group in the City of High Springs, my wife and I paid a total of \$98 58 to obtain two commercially printed signs that urged the citizens of High Springs to vote "No" on the proposed charter amendment. The signs made no reference to the Concerned Citizens group whatsoever.

7. Photographs of the fronts and backs of these signs are attached hereto as Exhibits.

8. The Concerned Citizens group was not aware of the preparation of these signs, they did not endorse the preparation of these signs, they did not contribute to the funding for these signs, and did not in any way suggest any design or format for these signs. My wife and I took this on ourselves as individual citizens in the City of High Springs. A copy of the payment that we made from our personal checking account is attached hereto as an Exhibit as well.

9. As the election approached, another individual citizen in the City of High Springs brought a personal lawsuit against the City, challenging the method by which this charter amendment had been rammed through the City Commission, largely by Vice-Mayor Barnas.

Ultimately, the circuit court in Gainesville agreed with this citizen's personal challenge and found the ordinance to have been improperly enacted and void from the start. The court's preliminary injunction and final order are attached to this affidavit as additional exhibits. The final decision from the Court did not come until the City conceded defeat, after the election

10. On election day, my husband and I, with a friend, brought the signs that we had purchased to the two City polling places and put them up.

11. I still have one of the signs in question. These were our idea and we paid for them. My wife and I will further explain these circumstances to any governmental body in the State of Florida if it is necessary.

FURTHER AFFIANT SAYETH NO

Thomas E. Hewlett
Affiant's Signature

STATE OF FLORIDA
COUNTY OF Alachua :

The foregoing instrument was acknowledged this 22 day of April, 2013, by Thomas E. Hewlett who is personally known to me or who has produced as identification

Witness my hand and official seal, this 22 day of April, 2013



SHANNON HESTER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE063824
Expires 2/7/2015

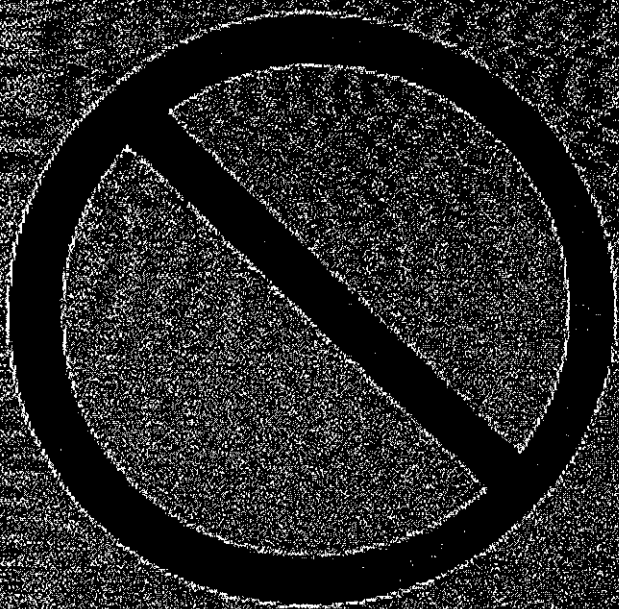
Shannon Hester
Notary Public
Printed Name
of Notary

Shannon Hester

Commission Expires: 2/7/2015

Commission Number EE053824

9610 - 11



Vote NO

on HIGH SPRINGS

Charter Amendment

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EXHIBIT
 A

2x B

EXHIBIT

tabbles

B

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ed MacKinnon, who being first duly sworn under oath, deposes and states:

When I went to the polls on November 6, 2012 I saw Vice Mayor Bob Barnas place a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. We recently put a full page ad in the local



Affidavit of Ed MacKinnon
Ambrose v City of high Springs
02-2012-CA-3385

paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

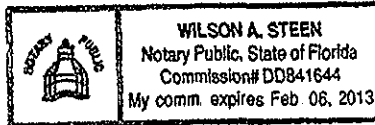
FURTHER AFFLIANT SAYETH NAUGHT.

J.G. or _____
Ed MacKinnon

STATE OF FLORIDA COUNTY OF ALACHUA

Sworn to or affirmed and signed before me on
November 9, 2012 by

WILSON A STEEN NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk] Personally known Produced
identification. Type of identification produced
FLORIDA DRIVERS LICENSE



HIGH SPRINGS DEBATING

VOTERXES

YOU CONTROL DEBET
NUMBER JUST PAGE
OF BALLOT

tabbles
EXHIBIT
A

WALL CONTROL DEBT
NUMBER 1 LAST PAGE
OF BALLOT

Ex B

tabbles®
EXHIBIT
 B

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ross Ambrose, who being first duly sworn under oath, deposes and states:

Ordinance 2012 -13 was not available to the public for review at the second reading (public hearing) on July 31, 2012. I was unable to obtain a copy of Ordinance 2012-13 when I filed my Complaint in August 2012. I directed my Counsel to obtain a copy of Ordinance 2012-13 to file with the Court. Despite repeated requests, my counsel was unable to obtain same. Her last attempt was on October 22, 2012.

I went to City Hall on October 23, 2012 and obtained an unsigned copy of Ordinance 2012-13. It was not until at least October 24, 2012 that the Ordinance was signed by the Mayor.

When I went to the polls on November 6, 2012 (Precinct 60, High Springs) I requested to review a copy of the proposed Charter Amendment (Ordinance 2012-



13) that was on the ballot. It was not available for me or any other citizens to review in its entirety. However, all of the State amendments were posted and available, as required by Florida statutes

From the time the proposed Charter amendment was purportedly passed on July 31, 2012 through election day there was no education on the proposed Charter Amendment provided to citizens by the City. There were no town hall meetings; there were no mail-outs or pamphlets published that would educate the citizens as to how the proposed debt cap could or would affect them.

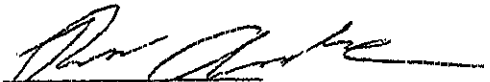
On election day, I saw a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. The group recently placed a full page ad in the

Affidavit of Ross Ambrose
Ambrose v. City of high Springs
01-2012-CA-3385

local paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

FURTHER AFFIANT SAYETH NAUGHT.


Ross Ambrose

STATE OF FLORIDA COUNTY OF Alachua

Sworn to or affirmed and signed before me on

11-9-12 by Jeannette B Banks NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk.] Personally known Produced
identification. Type of identification produced



Front Page Faith The Truth about Byran
TRUTH JUSTICE AMERICAN WAY



BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA
BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

COMMENT

Is a group of people who are Concerned Citizens for a Better High Springs a Political Committee?
The definition is not that they support a candidate but even if it is a Issue.

And its member of that group was an attorney, and should know the law. Is that a problem?

My records request to City of Alachua was not replied to. Imagine that. So based on something I read
by a certain attorney. I did my searching of the Alachua Commission meetings on line. Good news
they really have a good on line records service for the public. bad news is they really have a good on
line records service for the public.

Thanks Ms. Chapman for pointing my in the direction I never thought of looking at.

So I made a phone call today to a State Agency. What they said was, "thats not good"
"Please give us a day to research this."

A clue to my question would be in the on line email I sent to the Alachua city manager. If you have
access to it, then you may know where this is going.



Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



I reviewed the Kessler Audit. The amount of funds used for non CRA projects is now public record. Unlike the records of the Community Development Corporation or CDC of High Springs.

A public records request to them received a letter from Dot Harvey telling the CRA she does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA. BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

COMMENT

Is a group of people who are Concerned Citizens for a Better High Springs a Political Committee?

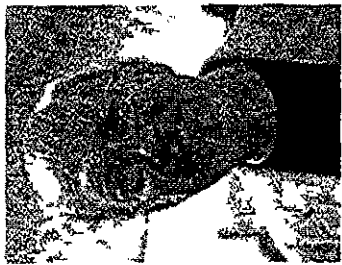
The definition is not that they support a candidate but even if it is a issue.

And if a member of that group was an attorney, and should know the law is that a problem?

Just food for thought.

- UPDATES
- AMBROSE CASE THAT DOES NOT WANT A DEBT SUIT GOES TO HEARING IN FRONT OF JUDGE OCT 25TH
- ORD COMPLAINTS IN WORKS TO GO TO THE FLORIDA BAR
- NEW QUIZ HOW MANY BOUKARPS WORKING WITH ALACHUA AND THEIR CRA?
- BID FOR FIRE STATION APPROVED CONSTRUCTION SHOULD BREAK GROUND NOW
- RECORDS REQUEST WENT TO CITY OF ALACHUA ABOUT THEIR CRA APPOINTMENTS AND SPENDING WILL BE NEXT

Update



NEXT MEETING IS VALENTINES DAY EVENING..

Letter to Florida Bar went in the mail. 4-8-1(b)

Records request for 1999 arrest will be in my hands this week. Hope there's a mug shot.

Tomorrow, another lie.

Since Ed MacKinnon has been telling his story to many, I found another person who heard what he said. He seems to have found me guilty of something and is telling many. My attorney has asked for full information. We meet Wednesday.

Of course there are degrees of doing something people accuse you of. Just more lies. And Mr. MacKinnon is certainly accusing based on hearsay..more lies.

So has Ed forgotten? I certainly would not be a liar if I said Martha Hines in 1999 while an officer with the High Springs PD had Mr. George Edgar MacKinnon arrested for "distributing material harmful to minors". Had to post a \$500.00 bond.

Ed MacKinnon distributing harmful material to MINORS thru his video store? True?

So did he really distribute material harmful to minors? Maybe he should tell everyone.

PAC complaint paperwork going in the mail tomorrow. Naming two local players.

Remember a PAC is two or more spending more than \$500 on political issues.

And Friday I should have the "Easy Math" commissioner document in the mail to Election Commission.

bobbarnas.com



NEXT MEETING IS VALENTINES DAY EVENING..

And friends post says it best:

I first put this website out to deal with liars and bad information. I then strayed. I tried to use it to focus on positive issues. And let the liars be. I stopped filing ethic and election commission complaints and did not file the additional pages to a Florida Bar investigation.

Something happened today to get me back on track. The liars have returned and said something completely untrue, to the wrong person. You see if the witch was to tell a lie to a bad attorney, then it doesn't go outside the circle. It stays within the cult. The inner circle of CC.

But tonight an ORC slipped up. He said something to an outsider that got back to me. That outsider told me, I told my attorney and my attorney got the names. That person will tell the truth about what was said to my attorney.. And the person that made the statement's has now back peddled. But if he says that to the outsider, then doesn't that confirm the liar is even a bigger liar.

So for the next several days this website will not have anymore posts. I am working on my paperwork about a PAC to the Florida Election Commission. And I am working on my paperwork about "the easy math candidate" and his flyer without a disclaimer. And I will have another letter going to the Florida Bar tomorrow. Ask Larry how that \$400.00 fine worked for him.

And finally, I will meet with my attorney on Friday. Not because I want to, but because the "no balls liar", told me this...

"Bring it on" ...
So if this "bring it on" individual wants the truth, Friday is 3 days away. Bring me the proof and ask me to my face. Man or worm?

Oh, and if you want to join me cleaning Main Street sidewalks and gutters, I will be out there cleaning at around 6AM Wednesday.

Front Page Faith The Truth about Byran Documents Guest Comment

TRUTH - JUSTICE - AMERICAN WAY



YOUR SEWER RATE "\$69.45" - "IT'S EASY MATH" THIS IS JUST ONE OF THE PROMISES MADE BY BYRAN WILLIAMS AS I READ IT IN THE PAPER. SEEMS BYRAN WILLIAMS IS MAKING PROMISES TO MANY. PROMISES TO SOME WHO ARE GETTING WORD TO ME ON WHAT HE IS PROMISING. DOES THE CRONYISM WORD GET BROUGHT BACK AGAIN?

UPDATES

POE SPRINGS HAS INTERESTING SUPPORTER. WILL POST SOON.

LIST OF DONATION TO BYRAN IS IMPRESSIVE.

DEFINE NEPOTISM? RECEIVED CERTIFIED LETTER THAT STATE AGENCY IS LOOKING AT A COMPLAINT.

LARRY TRAVIS ELECTION COMMISSION HEARING FOR VIOLATION IS NOV. 15TH 9AM.

HAVE A TRIP TO TALLAHASSEE COMING UP. MEETING WITH TOP OFFICIAL TO TALK ABOUT.....

NEW PAGE ADDED. GUEST COMMENT

For a little milder side of goings on in High Springs try reading "friends post" (click here)

HIGH SPRINGS DEBT LIMIT VOTE YES YOU CONTROL DEBT AMENDMENT 1 on LAST PAGE

Advertisement paid for by Citizen Concerned for a Better High Springs

SWEARING IN OF NEW FLORIDA ATTORNEYS THEIR OATH AND FLORIDA BAR ETHICS AS IT MAY RELATE TO A LOCAL TOPIC. (click here) LAWYERS OATH

Judge Griffis ruled on the lawsuit brought by High Springs resident Ross Ambrose and his Alacrua attorney Linda Chapman. As I see it there are 3 winners in this Vexatious litigation.

- 1 The city was found to have made emergency meeting and notices properly.
2. There is a question as to the change from \$1,000,000 to \$2,000,000 as made in the lawsuit is in question.
3. But the most important winner is the voter. The Amendment will still be on the ballot. The voter will have a chance to make a difference in the final decision with their vote.

Your vote of YES will be considered when this continues after the election.

In this Ambrose case the Judge said "the claims for relief on Section 286.011 are dismissed with prejudice". So in a court case that is dismissed "with prejudice" it means that it is dismissed permanently. No redo on this part. Meaning that the cockamamie limitation is still on the ballot, and money Ambrose was looking to pocket is off the table.

[Front Page](#) [Faith](#) [The Truth about Byran](#) [Documents](#) [Guest Comment](#)

THE VOTE ON TUESDAY PROBLEM

All reports from the 3 candidates have a problem

This is the documents page And the documents submitted printed and displayed by all candidates have problems

Click on the links below to see the problems As of today I hear all have been corrected
Well not all yet

As a side note, I received my Notice of Hearing in front of the Florida Election Commission concerning a hearing for the election code violation of taking \$200 cash donation by Larry "potty mouth" Travis Will he be found in violation or will he be released from a violation or will he accept a negotiated agreement? November 15, 2012 9AM
I will post the notice for all to read Maybe he can take a fan bus of supporters there?

Got another certified letter in the mail today as well PERSONAL AND CONFIDENTIAL from the Florida Ethics Commission confirming they received some documents

I also received a document that shows the motion for the PIGG house was made by Byran Williams and Depeter made the statement he did not see any financial downside

Seems Ms Martha doesn't know the truth Oh, got some interesting Ms Martha stuff thrown my way as well To disclose this might be over the top Really is not good Really

Florida Statute 106 07(2)(a)2(b)1 Any report that is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section Failure to file a complete report after such notice constitutes a violation of this chapter

[Jamison September Campaign Report](#)

[Williams September Campaign Report 1](#)

[Williams September Campaign Report 2](#)

[Williams October Campaign Report](#)

Front Page Falth The Truth about Byron

TRUTH - JUSTICE - AMERICAN WAY



I reviewed the Kessler Audit. The amount of funds used for non CRA projects is now public record. Unlike the records of the Community Development Corporation or CDC of High Springs.

A public records request to them received a letter from Dot Harvey telling the CRA site does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA. BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

click here

UPDATES

AMBROSE CASE THAT DOES NOT WANT A DEPT LIMIT GOES TO HEARING IN FRONT OF JUDGE OCT 25TH

3RD COMPLAINTS IN WORKS TO GO TO THE FLORIDA BAR

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RECORDS REQUEST WENT TO CITY OF ALACHUA ABOUT THEIR CRA APPOINTMENTS AND SPENDING WILL BE NEXT

More Commission news is we reopened the road behind city hall. Well not all of us. Jamison wants a fence. No, really he said that. I guess he's never been to the park and seen that there was never a fence there. I have a new name for him: ANTI MAN. So here is how you deal with that. When you want something, you vote the opposite and he will then vote against me. I think we need to require an IQ test for all commissioners. I have been listening to audio of meetings and the level of misunderstanding of the sewer bond, funding, rates and debt is unbelievable. You can't make this stuff up.

Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



clips from Eric Mays blog remember when he wrote this and more about
Byran Williams and more

Campaign Finance Reports | High Springs Blog | highspringsblog.com/2010/10/05/campaign-o-
ctober-2010 - It should be noted that based on his own campaign reports, Byron has illegally accepted
three cash donations in excess of the legal limit

And on 3/17/2011 Eric May called out Weller and Williams for their lack of understand of media.
Called the story "The Nanny City"

And remember when this happened and he massaged the budget. His blog said it is

After hours of discussion surrounding employee insurance rates and health plans, the commission
went back on a decision to restore two public works positions in favor of eliminating a police
position. Commissioner John Hill, who said he had a change of heart, even went on to say it was with
a "bleeding heart" that he had to make this decision

He (bind myself) and Commissioner Travis in voting to eliminate the public works Facilities
Maintenance Worker (Janitorial Position) and Service Worker I (streets) and putting in its place the
janitorial contract service and a seasonal Service Worker

Remember when Commission May referred to the church people in attendance. He made some
reference to reacting to a MOB RULE if he listened to them.

The other stand of Eric May at the Womens Forum when he ran was his stance on how bad the Pigg
House purchase was. Is he now saying it wasn't a mistake. Flip flop again?

How soon we forget what we said in public, and must eat your own words.

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You can't make this stuff up.

Front Page Faith The Truth about Byran Photos

TRUTH - JUSTICE - AMERICAN WAY



Quotes of the day from Larry Travis to Bob Barnas at the Ground Breaking for the Fire Station
 "Your an Asshole" and "at least have friends" Really Larry how many did you have last election? 289. I had 477.
 Witnessed by many to smiles from the Concerned Citizens for a Better High Springs. This is what comes out of his mouth.
 The Coach Never had any class, never will. Join us at his hearing in front of the Election Commission in November.

Two Haunted Houses going on in town. One on 441 at Tattoo Shop and one at the Lions Club.
 Admission for both locations.

Next Week
 Meeting on Wednesday to talk about water and sewer rates.

WOMANS CLUB FORUM FULL LENGTH SHOW. SEE THE REAL BYRAN WILLIAMS
 And check to cops out on the Byran Williams flyer that is on the photo page. Complaint worthy?

Paperwork went in the mail to a State Agency today.
 I am researching statute to see if I can legally disclose what it was.
 Campaign donation issue came up on Eric May blog. Apparently he took his story on the violation by
 Byran Williams two years ago (September 2010) and Larry Travis out of his achieves. But I have the
 paperwork. And Larry Travis hearing in front of Election Board is in November. Go coach.

Had a conversation with Eric May today. Had his guru tape recorder going.
 He kept going at the word Cronyism. Now lets see if he can research nepotism?
 How many brothers does it take to run a city? And collegial body.

UPDATES

WAITING FOR THE RULING ON
 AMARCO CASE TO STOP DEBT
 REFERENDUM

OLIVE BRANCH IDEA NOT
 WORKING. OK. LET SEE WHERE
 THIS GOES

ZUMBA NEEDS A HOME TO
 ZUMBA. HEARDED MCKINNON
 HAS OFFERED HIS VACANT
 MEETING ROOM. (the divided
 place). SUPER NICE OF HIM TO
 DO SO

Front Page Faith Cell Towers

Meeting update and more



all pages updated
4/2/2013 8AM
Freind Post posts a
letter. A step in
setting the record
straight.

READ THE TRUTH

More truth about
the fine Larry
Travis received.
Want to read it.

It is Easter, Resurrection of Jesus Christ. And much can be learned about this if you only took the time to understand and believe.
It is time for a resurrection of High Springs.

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

I feel a turning of the tide. The newspapers need to rethink what they write. Truths must be told do the right thing, and they just might survive. If not, I feel there will be a understanding that much that has been written was false and misleading. Many are turning away from the press and I believe one will die and not be resurrected.

I sense a shift in the force. Some Commissioners may now be understanding the lack of professionalism in the city was not just that of the city manager fiasco that I was part of, it goes back farther and still infects us. Communication and records issues continue.

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out...

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars.... I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show. The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork dated April 1st, (for a reason) will go in the mail.



Front Page Faith The Truth about Byron Documents

TRUTH - JUSTICE - AMERICAN WAY



was looking at the High Springs Blog, the Dzean site and Alachuapoliix and the similarities are interesting Spoke to LN tonight and had interesting exchange. Who drive the smart blue vehicle and throws the bird or middle digit finger when you drive by? Here's a clue, DP. Got the license number so I need to confirm some information. Will get back on this one, could be good.

TONIGHT'S MEETING HAD AN INTERESTING COMMENT FROM DEETER. HE WAS WONDERING WHERE THE \$69 FIGURE ON SEWER CAME FROM, WHICH MADE ME WONDER WHERE BRYAN WILLIAMS GOT HIS NUMBERS FROM TO BLURT OUT THE \$69.45 AT THE WOMAN'S CLUB FORUM. SINCE HE DIDN'T MAKE IT TO TONIGHT'S MEETING, MAYBE HE CAN TELL US AT THE NOVEMBER 8TH MEETING. EXPLAIN THE "\$69.45" - "IT'S EASY MATH"

UPDATES
POE SPRINGS HAS INTERESTING SUPPORTER, WILL POST SOON
LIST OF DONATION TO BYZANTIS IMPRESSIVE
DEFINE NEROTISM
HAVE A TRIP TO TALLAHASSEE COMING UP, MEETING WITH TOP OFFICIAL TO TALK ABOUT
GOTTA MAKE A MOTION TO BRYAN JAMES PAUL PARK CALL THE VOLUNTEER PARK NOW

**HIGH SPRINGS DEBT LIMIT
VOTE YES
YOU CONTROL DEBT
AMENDMENT 1 on LAST PAGE
THIS WOULD PUT FUTURE DEBT CONTROL WITH VOTERS**



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

June 10, 2013

The Honorable Robert J. Barnas
20147 NW 257th Terrace
High Springs, Florida 32643

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Barnas:

The Florida Elections Commission has received your complaint alleging violations of Florida's election laws. I have reviewed your complaint and find it to be legally insufficient.

In your complaint, you essentially allege that Respondent's organization, Concerned Citizens for a Better High Springs, is a political committee, and that Respondent should have registered it, appointed a treasurer and a registered agent, and filed reports disclosing the group's expenditures. I find this complaint to be legally insufficient because you did not provide sufficient evidence that Concerned Citizens for a Better High Springs is a "political committee" as the term is defined by Section 106.011(1)(a), Florida Statutes.

In order to meet the definition of a "political committee," a group must make expenditures in excess of \$500 "that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." There is no cost to create a Facebook page or to post information to a Facebook page, so the Facebook postings referenced in the complaint do not represent expenditures. In addition, the flier and the newspaper advertisement included with the complaint do not use words of express advocacy such as "vote for ...," "vote against ..." or "elect," with respect to a particular candidate or issue and, as such, they are not "political advertisements" or expenditures that otherwise render the group a political committee.

Because Concerned Citizens for a Better High Springs is not a "political committee" as that term is defined in Ch. 106, Florida Statutes, it was not required to register, appoint a treasurer or registered agent, or file disclosure reports. The group also does not meet the definition of an "electioneering communications organization" because the exhibits provided with the complaint are not "electioneering communications." (See Sections 106.011(18) and (19), Florida Statutes.) As such, this complaint is legally insufficient.

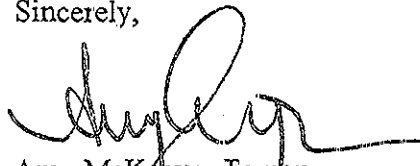
Yeago 43

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If the additional information corrects the stated ground(s) of insufficiency, I will notify both you and the Respondent. If you submit an additional statement containing facts, you must sign the statement and have your signature notarized. In addition, any additional facts you submit to the Commission must be based on either personal information or information other than hearsay.

Until this case is closed, section 106.25(7), Florida Statutes, provides that the Respondent may not disclose this letter, the complaint, or any document related to this case, unless he or she waives confidentiality in writing. To waive confidentiality, the Respondent must mail or fax a written waiver of confidentiality to Donna Ann Malphurs at the address or fax number listed above.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Amy McKeever Toman
Executive Director

AMT/dam

cc: Paul R. Regensdorf, Attorney for Respondent, w/out complaint

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

CASE NO.: FEC 13-125

In Re: SHARON L. YEAGO
Respondent.

**PETITION FOR ATTORNEYS FEES AND COSTS
PURSUANT TO FLORIDA STATUTE §106.265 AND
RULE 2B-1.0045 OF THE FLORIDA ELECTIONS COMMISSION**

The Respondent, Sharon L. Yeago, by and through her undersigned counsel, files this Petition for Attorneys' Fees and Costs Pursuant to Florida Statute §106.265 and Rule 2B-1.0045 of the Florida Elections Commission, and would show this Commission as follows:

I. Summary of basis for the imposition of attorneys' fees in this cause.

1. The Florida Elections Commission is charged with the weighty responsibility of enforcing Florida's Election Code to ensure that those who participate in Florida's electoral system play by the rules and comply with Florida law. When a candidate or an official is shown to have violated Florida's Election Code, this Commission is required to impose the sanctions that the law allows to ensure the purity of the electoral process.

2. The flip side of that responsibility, however, is just as important, and some would say that in the very few cases to which it applies, perhaps even more important. That is that when a person in the State of Florida, with malicious intent, or reckless disregard for the truth of the allegations contained in a complaint hails a good citizen before the Florida Elections Commission and charges them with corrupting the electoral process in some way by violating the Florida Elections Code, then that wrongful complainant should himself be brought before the

Yeago et al

Commission and required to pay the fees and costs of the person who has been wrongfully and recklessly hailed before this Commission.

3. Any fair review of the complaint filed by Mr. Robert Barnas against Sharon Yeago will demonstrate that the malicious intent, and certainly reckless disregard sufficient for the imposition of attorneys fees were present in Mr. Barnas' complaint by virtue of the fact that he made repeated simple factual allegations in his complaint which he knew to be false and which the very documents attached by him to his detailed complaint established, without question or peradventure, were indeed false. Notwithstanding the actual knowledge of the falsity of the factual allegations in his complaint, and fully knowledgeable of the position held by the respondent Ms. Yeago in the State of Florida as a person widely respected and placed in a position of public trust, Mr. Barnas planned and persevered over a number of months to file this complaint, as he has in so many other cases in bringing baseless charges against good citizens in the High Springs, Florida community such as Sharon Yeago

4. Mr Barnas' charges are not mere matters of opinion nor are they allegations about which reasonable people could disagree; instead, they are simple allegations of purported "fact" that are false, were proven false by the very information submitted by Mr Barnas, and known by him to be false.

5. This Commission in the fulfillment of its obligations under the Florida Statute §106.265 and Rule 2B-1.0045 should determine that this petition contains sufficient facts and grounds to support a claim for costs and attorney's fees and should schedule the requisite hearing to consider and then impose attorneys' fees and costs against Mr. Barnas in this matter.

II. What a proper complaint for failing to register a political committee would look like, IF there had been a political committee in existence which had violated Florida's Election Code.

1. The law with respect to unregistered political committees that expressly advocate for or against an issue, or for or against a candidate, is exceedingly clear and simple. Were there to be a violation of the Election Code, a valid, legally-sufficient complaint would have had to say little more than this:

a. Organization X expressly advocated for [or against] a specific issue on the November 2012 ballot and/or expressly advocated for [or against] a specific candidate on the November 2012 ballot; and

b. Organization A made expenditures in an aggregate amount in excess of \$500 in expressly advocating the issue or candidate described above.

2. It is really that simple. Two paragraphs and evidence of advocacy and monet.

3. In fact, in the words of Mr. Barnas himself, in the letter accompanying his own complaint against Ms. Yeago, he states, correctly and accurately, "the law is clear" and applies in large and small communities. Mr. Barnas' Complaint at R-000003

4. Consequently, in complying with this very clear and simple law that even a non-lawyer can understand, a complainant would need to do no more than demonstrate exactly where and how Organization A had expressly advocated for or against an issue or a candidate and then presents some evidence that that express advocacy was furthered by an aggregate expenditure in excess of \$500. It is not difficult. Indeed, Mr. Barnas, the complainant himself, through his own independent research, pointed the Commission to a simple consent order of this Commission in Case Number FEC 04-379, Final Order No.06-129, in which the subject organization admitted that it had run an advertisement which contained the simple, clear, unambiguous statement "Vote for Amendment Five" without complying with the law. It is really easy.

5. That is simply all that a valid complainant here would have had to have done; allege that Sharon Yeago and the Concerned Citizens for a Better High Springs had expressly advocated a position for or against the ordinance or the election and stated that -- somewhere -- in some document, in some publication, or in some advertisement:

Vote for [or against] the charter amendment or vote for [or against] Bryan Williams.

6. If this Commission is looking for a short, succinct, and clearly understandable requirement for anyone who is considering filing such an accusation of an election code violation, this Commission need look no further than Mr. Barnas' own complaint, in paragraph 3, where he states:

It is clear that a PC is only 2 or more people, spending \$500 or more, and in support or against a candidate or issue.

Mr. Barnas' Complaint at R-000003.

7. With the possible minute adjustments that the amount spent would have to exceed (and not merely equal) \$500 and that the "support" would have to be "expressly advocating" a position, Mr. Barnas through his careful research knew exactly what he had to allege. Unfortunately for Mr. Barnas, he also as surely knew exactly what he had to prove when he filed this complaint against Sharon Yeago. A careful review of the factual allegations in his complaint (which have been found legally insufficient) demonstrates that each and every factual allegation concerning alleged violations of law were patently false, known by him to be false, disproven by the very documents he chose to attach to the complaint and otherwise filed with the willfulness and recklessness necessary to warrant the imposition of the attorneys' fee penalty or sanction called for by Rule 2B-1 0045 and Florida Statute §106.265(6).

III. The specific allegations contained in Mr. Barnas' complaint.

1. Despite its length, the narrative contained in Mr. Barnas' complaint form and in his four page letter actually raise only two or three factual points, each of which is false, known by him to be false, and provably so by the very documents he chose to attach.

2. The following are the factual allegations Mr. Barnas chose to make, in the order that they were made. They will be discussed subsequently in groups so that all repetitive allegations making the same charge can be discussed in one place.

A Ms Yeago formed an organization "most specifically to oppose a ballot referendum issue to limit debt." (Complaint form at 1, R-000001)

B. "Two or more people, making expenditures and opposing a ballot issue." (Complaint form at 2, R.000002).

C. "This complaint is a complaint against a group/committee that was organized to oppose a specific issue." (Narrative Letter at page 1, R-000003)

D. "This complaint is that a group of many individual (sic) forming an organization/PC to defeat the ballot issue..." (Narrative Letter at page 1, R-000003).

E "This complaint is that a group of many individual (sic) forming an organization/PC, to... also support and support (sic) the election of Byran Williams and Scott Jameson." (Narrative Letter at page 1, R-000003)

F. "Again, this group had more than two people, and may have taken contributions, but certainly made expenditures on advertising, signs, written material and events advocating reform at the City. And again, for the defeat of a ballot issue of the City of High Springs." (Narrative Letter at page 2, R-000004)(Emphasis in the original).

G. "A group of more than two people who spent more than \$500 on the High Springs City Election and the defeat of a ballot issue to limit debt of the City." (Narrative Letter at page 2, R-000004).

H. "These meetings discussed the future of High Springs, the ballot issue and support for Bryan Williams. (Narrative Letter at page 3, R-000005).

I. "At the Candidate Forum at the High Springs Women's Club they distributed more fliers (Exhibit 5) **that set in stone their political stance on the debt issue on the ballot.** They support DEFEATING the charter amendment issue (Narrative Letter at page 3, R000005)(Emphasis in original).

J. "I have also attached a copy from the Facebook site where Gene Levine (one of the members) makes a post in support of Bryan Williams and refers to "we" (the group) and the Facebook page allows it to go out to all friends and the public for the record." (Narrative Letter at page 3, R-000005).

K. "[M]any named members... held his [Bryan Williams] signs next to the two 4ft X 4ft "Vote NO" posters opposing (with CCFBH disclaimers) the ballot referendum..." (Narrative Letter at page 4, R-000006).

L. Ms Yeago [with Linda Jones] "through their '**steering**' had knowledge of **spent funds opposing an issue on the ballot and supporting candidates.**" (Narrative Letter at page 4, R 000006)(Emphasis in original).

3. The materials submitted with Mr Barnas' complaint by themselves, as well as the materials submitted in conjunction with Ms Yeago's response, demonstrate conclusively, factually, and without uncertainty or any issue of debatable opinion, that Mr. Barnas' statements above are, each and every one, patently false, contradicted by his own materials, and submitted

to this Commission for what can only be viewed as a malicious and reckless complaint in an attempt to further an agenda of his own and hurt the individual who is the target of this unprincipled attack.

4. Mr. Barnas' charges set forth above are grouped together below to demonstrate, serially, the falseness of each and every charge, a falseness fully known by Mr. Barnas at each stage of this proceeding. He had to know they were false: he personally collected the many pages of exhibits which conclusively establish that Ms. Yeago and the Concerned Citizens group never, at any time, expressly advocated any issue on the November 2012 ballot nor any candidate for election on that ballot. Surely Mr. Barnas read each and every page **before he swore under oath that Ms. Yeago had violated the law.** Common decency, if not compliance with the law, would have required that.

5. Although it will make this motion more bulky, to ensure that each and every Staff Member and Commissioner who reviews this motion will have a self-contained package of all relevant materials, Ms. Yeago has attached to this Petition a copy of the original Complaint by Mr. Barnas (Exhibit A); Ms. Yeago's Response to that Complaint (Exhibit B); the letter from the Commission finding that the Complaint was legally insufficient (Exhibit C); the Commission's letter closing the file upon Mr. Barnas' failure to submit any supplementary materials (Exhibit D); and an Affidavit of Ms. Yeago In Support of this Petition (attached hereto as Exhibit E) which will be discussed hereafter. Additional materials will be attached to this Petition and discussed later in this Petition.

IV. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs was formed to oppose the Charter Amendment referendum on the November 2012 Ballot and expressly advocated against it are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations A, C, D above].

1. It is difficult to add much to the record that is fully before this Commission on this topic. Mr. Barnas, for reasons of his own, wishes to think or imagine that the Concerned Citizens organization was created to oppose his pet Charter Amendment. In fact, however, as was conclusively demonstrated by Mr. Barnas' own materials (as well as by those submitted by Ms. Yeago in support of her Response), the original mission statement, guiding principles, and policy recommendations issued by this good government organization prove and establish that the ordinance was not even one of the topics mentioned in their founding principles and recommendations, and was categorically not the reason for the formation of this group, nor did it become so later.

2. Mr. Barnas did invest a great deal of personal time and energy in trying to ram this Charter Amendment through the City Commission, but that effort was summarily rejected by the Eighth Circuit Court in and for Alachua County when the ordinance was declared null and void [because of improprieties in how the Commission majority had rushed it through] in a separate action that was not brought by or supported by the Concerned Citizens group. He may still be smarting from that direct and extraordinary judicial rebuke, but it is not cause to lash out at a patently "good government" group in his own community

3. Where an individual makes a simple factual statement that is not the subject of conjecture, speculation or opinion, and simultaneously submits information that directly and with particularity disproves the very factual statement just made by that person, then the falseness of the statement and reckless disregard of the person making the statement are clear. Mr. Barnas acted with willful malice and reckless disregard when he made patently false statements

repeatedly to this Commission that the Concerned Citizens organization was formed to oppose the Charter Amendment election. Nothing could be further from the truth.

V. **Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, and Ms. Yeago personally, expressly advocated against the passage of the Charter Amendment referendum on the November 2012 ballot Are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations B, F, G, H, I, J, K and L above].**

1. Whatever the reasons were for the formation of the Citizens Group (and the documents conclusively establish that it was to restore badly needed good government to the City of High Springs and not to oppose the Ordinance), the group could, conceivably, have changed course and expressly advocated for or against that ordinance... had they wished to do so and had they wished to become a political committee under Florida Statutes. But again, the factual record submitted by Mr. Barnas, as well as supplemental materials submitted by the Respondent Ms. Yeago, categorically prove that that never happened. There was never any statement made by Ms. Yeago or the Concerned Citizens group that expressly advocated that the ordinance should be voted down. Not...a...single...statement

2. The first detailed press release from the Concerned Citizens group, along with its mission statement and four guiding principles, may be helpful to this Commission. [See attached Exhibit F]. These documents are fully, 100% consistent with all the documents that have previously been presented to this Commission in showing what the Concerned Citizens group was involved with, and more particularly what it was not involved with. These documents published in late September and the first part of October 2012 again conclusively establish and add to the already uncontradicted record that demonstrate that Mr. Barnas was well aware that this organization did not enter the political fray on any issue that was on the ballot in November

2012. This organization was clearly not formed to advocate one way or the other on any such issue, and more importantly never did so.

3. It is undoubtedly true that the Concerned Citizens group in its several publications of policies and principles advocated for a number of other civic issues involving return to sound professional management [from the year during which the Commission was largely headed by Mr. Barnas as Vice-Mayor], a return to civility and fairness from the slash and burn attack philosophy of Mr. Barnas such as is consistent with this very Complaint against Ms. Yeago, and a meaningful return to fiscal and budgetary responsibility so that the limited dollars of a municipality in 2012 and 2013 could be spent on valuable and meaningful municipal projects, as they had in the past. Each of these was an important civic goal, addressed issues of governmental importance, and not a single one of these issues and statements expressly advocated for or against the ordinance in any way. None of the issues that the Concerned Citizens group discussed and advocated were ever presented to the citizens of High Springs for their vote one way or the other. The materials submitted before this Commission by Mr. Barnas prove that his allegations to the contrary are simply false, reckless and willfully malicious.

VI. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, and Ms. Yeago personally, expressly advocated the election of Byran Williams on the November 2012 ballot are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations E, H, J, and L above].

1. Mr. Barnas accuses the Concerned Citizens group of expressly advocating for the election of Byron Williams in the November 2012 City Commission election for the City of High Springs

2. Again, it is difficult to add further understanding to the nature of this brash allegation other than to say that, like the others, it is totally and patently false, reckless, willfully

malicious and categorically contrary to the materials that Mr. Barnas has submitted to this Commission.

3. The Concerned Citizens group in general, and Ms. Yeago in particular, at no time ever took any position for or against Mr. Williams in his election bid, for or against Mr. Williams' opponent in that election, or for or against anyone else running for civic office in the City of High Springs.

4. Mr. Barnas has failed to produce (because there is none) a single piece of documentary evidence that suggests that the group in any way, or Ms. Yeago individually, expressly advocated for the election of Mr. Williams or against the election of his opponent. It simply did not happen. The only reference that Mr. Barnas even tangentially made was that some individuals (unidentified), who were also supporters of the Concerned Citizens group, may have themselves held signs for Mr. Williams. Perhaps so. Those individuals were probably also Presbyterians, Catholics, Methodists, Republicans, Kiwanians, Italian-Americans, AARP members and Harley Davidson owners, but none of those groups "expressly advocated" for Mr. Williams' election simply because one of their members happened to hold a sign in his support.

5. Mr. Barnas is not an unskilled or untutored individual in the political rough and tumble world. The allegations of express advocacy for Mr. Williams' campaign were false, malicious and reckless, and were known by him to be false because he personally selected the tens of pages of materials that prove their falsity. Neither Ms. Yeago nor the Concerned Citizens group that Mr. Barnas sought to pillory through her ever expressly advocated anyone's election, or defeat, in the November 2012 election. Period. The record is clear and uncontradicted. And Mr. Barnas knew it.

VII. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, or Ms. Yeago personally, expended in excess of \$500 expressly advocating ANYTHING in the November 2012 election are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations B, F, G, and K above].

1. Mr. Barnas' allegations concerning the Concerned Citizens group's expenditure of more than \$500 in express advocacy fail to link any spending of any money to any express advocacy of any issue or any candidate on the ballot in the City of High Springs in November 2012. Reason? There was none and Mr. Barnas' own materials prove that.

2. It is 100% true and accurate that the Concerned Citizens group did collect some money from its members to purchase an advertisement in the local newspaper which was published prior to the election of November 2012. That advertisement has been clearly reproduced in the materials submitted before this Commission and, contrary to the expressly false allegations of Mr. Barnas, the advertisement does not advocate for or against any issue or advocate for or against any candidate. Period. No gray area. Indeed, the advertisement does not even mention the Charter Amendment issue, nor does it mention any candidate for any office on the November 2012 ballot. As Mr. Barnas expressly knows by virtue of his careful quotation of the statute in his recitation of the law in his complaint, in order to be a political committee or an electioneering organization, the group has to spend in excess of the defined amount of money in the express advocacy of an issue on the ballot or a candidate.

3. A Women's Club can advocate healthy eating habits; a Lion's Club can advocate good vision care; AARP can advocate sound planning for retirement; and each group can spend money in furthering those causes. But unless those causes are on a ballot and constitute expressly advocating issues that are placed before the electorate, that conduct does not fall within the defined areas of campaigning or electioneering which can bring organizations within the

ambit of Florida Statute Chapter 106. Interestingly, as set forth in detail in Ms. Yeago's Response to the Complaint, the only time the Concerned Citizens group even mentioned the ordinance was to factually describe some of the effects it would have and then to urge the citizens of High Springs to look into the matter themselves before voting on it, whichever way they chose to vote on the ordinance.

4. Similarly, the fact that an individual who identified himself as a member of the Concerned Citizens group posted on the Concerned Citizens Facebook page that he was supporting an individual (expressly advocating his election) does not convert that individual statement into the express advocacy of the website page. The argument is legally insufficient as explained in the Response of Ms. Yeago and, as noted by the Commission in the rejection of Mr. Barnas' Complaint, does not constitute the expenditure of dollar one in favor of anything by the Concerned Citizens group or Ms. Yeago.

5. Perhaps the most telling indictment of the complainant Mr. Barnas and the patently false allegations that he has attempted to foist upon this Commission comes in his baseless suggestion that Ms. Yeago or the Concerned Citizens group spent money on signs to oppose the ordinance directly. Mr. Barnas goes so far in embroidering this false claim that he states on page 4 of the Narrative Letter attached to his complaint that the signs even had the appropriate disclaimer by the Concerned Citizens for a Better High Springs group. There was no support for this bald allegation, but that has never deterred Mr. Barnas.

6. As has now been directly shown to this Commission in the Response of Ms. Yeago to the original Complaint, the signs to which Mr. Barnas was referring had nothing to do with the Concerned Citizens group, were not prepared by them, paid for by them, stimulated by them, or created by them. Rather, two individuals, from their own pockets, spent money for the

signs and still have them in their possession. Photographs of the actual signs are attached to Ms. Yeago's response and, along with the affidavit of the signs' creator, demonstrate that the Concerned Citizens group did not create or sponsor or pay for them. The truth behind these signs did not deter Mr. Barnas from concocting a false story about there being disclaimers [which there weren't] and the like, in the failed attempt to fool this Commission into thinking that the signs were the product of the Concerned Citizens group.

7. What is particularly galling, and should be equally galling and startling to this Commission, is that Mr. Barnas was the only individual in the pre-election period who actually DID attempt to fraudulently capitalize on the very good name of the Concerned Citizens group by himself creating signs actively endorsing the passage of the ordinance. There of course is nothing wrong with a private citizen -- or the Vice Mayor -- creating signs to expressly advocate that one citizen's views. That's the American way of campaigning. But, the signs that Mr. Barnas prepared are reflected in the photographic attachments to Ms. Yeago's Response, and contained a legend at the bottom of his signs that that was calculated to confuse the public into thinking that the signs were by the Concerned Citizens group, which had garnered tremendous good will and respect in the six weeks since it had been formed. Mr. Barnas was actively hoping to coattail in on and usurp the Concerned Citizens' good name and the fact that they consistently stayed above the fray. Mr. Barnas placed on the bottom of his signs -- urging the Charter Amendment's passage -- that the signs were by "Citizen Concerned for a Better High Springs." The subtle play on words was a deliberate and successful way to suggest that the Concerned Citizens group favored his ordinance, while all the time he knew that that group had remained scrupulously neutral. His deceptiveness there and before this Commission, in attempting to mislead the Commission as to the actual actions of Ms. Yeago and the Concerned

Citizens group demonstrate the willful maliciousness and reckless disregard for the truth that warrant an order compelling him to pay the attorneys fees incurred in this defense.

VIII. Mr. Barnas is no novice in the art of filing complaints against individuals in the City of High Springs with whom he disagrees.

1. In considering the motivation for why in the world Mr. Barnas would possibly file a complaint before this Commission that was so patently false and known by him to be patently false, it might be logical for this Commission to ask whether perhaps Mr. Barnas was unfamiliar with the procedures of filing complaints with State Commissions in the State of Florida and was an unfamiliar and unschooled novice with the rules and procedures under which such complaints are measured and tested. Should anyone on this Commission have that concern about Mr. Barnas possible naivety, I think it is a belief which can be responded to and dispelled quite easily.¹

2. First of all, reference to Mr. Barnas' complaint form and his 4-page narrative letter attached thereto demonstrates that Mr. Barnas, although not a lawyer, demonstrates great facility with finding law, regulations and procedures which, he frequently thinks, justify him in filing complaints against various individuals. In this case, he not only correctly identified many of the statutes that are highly relevant to this Commission's determination that his Complaint was legally insufficient, but he also was sufficiently adept at utilizing this Commission's website to identify previous decisions where, unlike in the case here, a group actually **did** expressly advocate for a candidate or an issue in an election, but did so without properly complying with Florida Statute §106.03 and the sections related thereto. He's no uneducated farm-boy

¹ Should anyone on the Commission or its staff be concerned about the "equities" of assessing fees against Mr. Barnas for his legally insufficient and probably false -- complaint against Ms. Yeago, Mr. Barnas' website posting for June 12, 2012 (the very same day this Commission's letter finding his complaint to be totally wanting would have arrived) should be reviewed. See Exhibit H hereto) In that post Mr. Barnas denied a plaintiff and his attorney rejecting a settlement offer, and focused on the law applicable to that case that allowed attorneys' fees for a frivolous complaint. Here that statute is Florida Statute §106.265(6).

3. Beyond the familiarity with the procedures demonstrated by Mr. Barnas in the filing of this Complaint against Ms. Yeago, this Commission (or the Division of Administrative Hearings) may wish to review Mr. Barnas' prior history of filing similar complaints against individuals in the High Springs area with whom he has had disagreements or taken issue, in the few months before he was elected to the High Springs City Commission and his first year on that body.

4. Although the records of these various commissions are not always easily searchable and although there may easily be more such complaints that have been filed, the undersigned counsel was able to unearth four (4) prior complaints Mr. Barnas has served against people with whom he had an ax to grind in the High Springs Area. These individuals included James Drumm (the former City Manager that Mr. Barnas drove from office while he was part of a majority of the Commission in his first year), Thomas DePeter (who was the City Attorney for part of the year when Mr. Barnas and his majority had their one-year of majority control on the City Commission of the City of High Springs), Linda Rice Chapman (a private attorney who successfully sued the City of High Springs challenging the charter ordinance in question here and establishing that it was void *ab initio*), and Bryan Boukari (the editor of the local newspaper, who safe to say, has not been charitable towards Commissioner Barnas and his heavy-handed approach to City government in High Springs) The undersigned can and will present copies of all of the publicly available documents with respect to these matters, but suffice it to say the circumstances are as follows:

a. On July 25, 2011, Mr. Barnas filed a complaint with the State of Florida Commission on Ethics, Complaint 11-098, against Jim Drumm, the then-City Manager of the City of High Springs, with respect to his management of a sewer improvement project in the City

of High Springs that Mr. Barnas was unhappy with. On September 14, 2011, the State of Florida Commission on Ethics dismissed that complaint for failure to constitute a legally sufficient complaint.

b. On June 28, 2011, Mr. Barnas filed Complaint No. 11-085 with the State of Florida Commission on Ethics against Thomas G. DePeter, who was the City Attorney of the City of High Springs when Mr. Barnas was elected, challenging the manner in which Mr. DePeter had left the position of Mayor and assumed the position of City Attorney. On August 3, 2011, the State of Florida Commission on Ethics dismissed Complaint 11-085 for failure to constitute a legally sufficient complaint.

c. On October 29, 2012, Mr. Barnas filed with the State of Florida Commission on Ethics Complaint 12-209 against Bryan Boukari with respect to Mr. Boukari's membership on the City of Alachua's Downtown Redevelopment Trust Board. While it might seem strange to this Commission that a City Commissioner in the City of High Springs would concern himself with a claim of an ethics violation with respect to a redevelopment board in another city, this Commission should be aware of the fact that Bryan Boukari, in addition to his position on that Board, was the publisher of the local newspaper who closely watched and reported on the actions of Mr. Barnas as the Vice Mayor of the City of High Springs and, safe to say, was relatively uncharitable in its assessment of Mr. Barnas' performance.² The response of Mr. Barnas was the ethics complaint referred to above. On December 5, 2012, the State of

² Mr. Barnas publishes frequent comments, and invectives, on his "personal" website. Many of these comments shed insight into the unfortunate motives of this "public servant", and many will be presented at the probable cause hearing and the final assessment hearing. An example of his antipathy or worse toward Mr. Boukari (of Alachua County Today), as well as all journalists who cover High Springs, can be found in his recent post from June 8, 2013, a copy of which is attached hereto as Exhibit G.

Florida Commission on Ethics dismissed Complaint 12-209 for failure to constitute a legally sufficient complaint.

d. In addition to these ethics complaints, Mr. Barnas also has seen fit to file a Florida Bar Complaint against Linda Rice Chapman, an attorney in the High Springs area, who successfully challenged the City's passage of the ordinance in question as being illegally adopted and void *ab initio*, and who also represents a former City employee who claims that he was wrongfully terminated by the City, largely or at least partly through the actions of the Vice Mayor at that time, Mr. Barnas. Although the paperwork with respect to that complaint was widely bandied about and discussed by Mr. Barnas on his website, his complaint against Ms. Chapman is not presently available, but was also dismissed by the Florida Bar and the above Ethics Commission complaints have been.

5. The foregoing four complaints, as well as the instant complaint against Ms. Yeago, are indicative of Mr. Barnas' approach to government. While a citizen in the United States clearly has the right to petition his government for grievances, and **Mr. Barnas had every right to file each and every one of the complaints that he chose to file**, when they are declared legally insufficient as was the complaint against Ms. Yeago, however, the individual who has properly exercised his constitutional rights to petition his government for redress also has to pay the piper. And that time has come.

6. It should be noted, in "fairness" to Mr. Barnas, that he has filed apparently one successful complaint with a Florida commission and that was to this Florida Elections Commission against the prior Mayor of the City of High Springs with respect to a technical violation on receiving cash contributions. Although it may well be that that individual, Larry Travis, had already self-reported the violation to the Elections Commission, it should be noted

that Mr. Barnas' complaint against Larry Travis, Case No. 12-124, did result in a Consent Order agreed to by Mr. Travis. It is also interesting to note, however, that, like a claimed violation of a group for failing to register as a political committee, it is a simple task and easily satisfied to allege and prove that a "too-large" cash contribution has occurred, if it is true.

7. The complaint against Mr. Travis was a very small number of pages [total: 5] that simply proved that he had reported an illegal contribution, to which Mr. Travis agreed. Had Mr. Barnas had any evidence, whatsoever, that Ms. Yeago and the Concerned Citizens Group had violated Florida's election code by expressly advocating for or against an issue or for or against a candidate, that could have been easily submitted to this Commission in a 3 or 4 page complaint. The attachment of pages up to and including 33 pages in the Complaint against Ms. Yeago demonstrates that Mr. Barnas was attempting to cause the Commission to conclude that there must be something to this Complaint if he had spent the time of collecting all of those pages and sending them on to the Commission. Nothing could be further from the truth

IX. Legal standard for the imposition of attorneys' fees under Florida law

8. As reflected in the affidavit of Ms. Yeago filed herewith in support of this Petition (See Exhibit "E" hereto), Ms. Yeago correctly notes that she has never sought any relief from Mr. Barnas nor filed any complaints against him, before he filed this complaint. But, when he filed the blatantly false complaint against her, she feels that the law and this Commission's rules anticipate a claim for attorneys' fees in a proper case.

9. She has instituted no other action against him, such as for a possible violation of §106.265 for a civil penalty, for sanctions under §104.41, or for the patent violation of the sworn oath he made in filing the complaint in this matter against Ms. Yeago. See black box legend at

the bottom of Florida Elections Commission Complaint form relating to Florida Statutes §§ 775.082 and 775.083. Any violations to these statutes will be left to the enforcing authorities

10. This Commission is certainly familiar with its powers and authority given to it by Florida law with respect to the imposition of sanctions, attorneys' fees, costs, or other penalties with respect to individuals who violate Florida law and/or file false complaints, such as Mr. Barnas has done. Florida Statute §106.265(6) provides in pertinent part:

(6) In any case in which the Commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with a reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter or Chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

There can be no question about Mr. Barnas' willfulness, intent, maliciousness, and reckless disregard with respect to the Complaint he has filed before this Commission

11. Although Mr. Barnas made bold, clearly-stated factual statements which, if true, might have raised a question concerning whether an organization was a political committee, the materials submitted by Mr. Barnas failed to present even the slightest question of fact about the truthfulness of his allegations and indeed, disproved each and every one of the critical factual allegations set forth above

12. Mr. Barnas' Complaint before this Commission is totally and completely false, misleading, and demonstrates a willfulness and a reckless disregard for this Commission's intelligence and the reputation of the Respondent, Ms. Sharon Yeago. This Commission should exercise its authority at the hearing on this Petition by finding that this Petition is sufficient to order a final hearing against Mr. Barnas, which will lead to a determination that he is liable for

Ms. Yeago's substantial fees incurred in the preparation of the Response to the Complaint and in the preparation of this Motion and any hearing(s) necessarily held pursuant thereto

13. This Commission has duly taken the provisions of Florida Statute §106.265(6) and provided in Rule 2(B)-1.0045(1) as follows:

"(1) If the Commission determines that a complainant has filed a complaint against a respondent with a malicious intent to injure the reputation of such respondent by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of Chapter 104 or 106, the complainant shall be liable for costs and reasonable attorneys' fees incurred in the defense of the complaint, including the costs and reasonable attorneys' fees incurred in proving the entitlement to and the amount of costs and fees."

The Petition must be filed within 30 days from the dismissal of the Complaint and is required to state with particularity the facts and grounds that prove entitlement to costs and attorneys' fees. The foregoing Motion sets forth with great particularity precisely how Mr. Barnas' Complaint, in each and every material way, is false and has wrongly accused Ms. Yeago and the Concerned Citizens of violating Florida law when in fact the record conclusively establishes that his allegations were not true and Mr. Barnas knew them to be false at the time he filed this Complaint.

14. While the precise motivation for Mr. Barnas' malice and the cause for his reckless disregard may never be known to a certainty, the Respondent is only required to prove by clear and convincing evidence that she is entitled to the award of costs and attorneys' fees. As detailed elsewhere in the materials before this Commission, Mr. Barnas spearheaded an eleventh hour effort to ram a charter amendment through the City Commission of the City of High Springs and get it on the ballot in November 2012. Although the Eighth Circuit Court in and for Alachua County later struck down his efforts as being void *ab initio*, Mr. Barnas has lashed out at a

number of individuals from High Springs, most related to that effort. He has filed an unsuccessful bar complaint against the same lawyer who successfully got the charter amendment stricken as void *ab initio*. He has (over the years) filed unsuccessful Ethics Commission complaints against the editor of the newspaper that has challenged his method of running the High Springs City Government, the previous City Manager whom Mr. Barnas drove out of office, and the former City Attorney who warned the City Commission that the actions they were taking in passing the charter amendment ordinance were in fact void and illegal.

15. Mr. Barnas has now broadened his attack to a pure "good government" group in the City of High Springs that carefully stayed away from issues on the November 2012 ballot. Without any evidence whatsoever to demonstrate a violation of any election laws by this group, or by Ms. Yeago, however, he was left to fabricate those allegations in the hope that neither the Commission nor Ms. Yeago would call him on it. Each of them have, and it is now for this Commission to determine whether an award of fees in favor of Ms. Yeago is appropriate.

16. Again, turning to Mr. Barnas' complaint itself may be the best place to conclude this petition. Quoting liberally from the first full paragraph at the top of Page 3 of Mr. Barnas' Narrative Letter accompanying his complaint (R 000005 of the Record), and changing it only slightly to correspond to the claim for fees here by Ms. Yeago, Mr. Barnas argued:

The FEC need [sic] to bring to bear its power and authority given to it by the State of Florida law [sic] and investigate, and take all appropriate measure [sic] under its power to determine the status of [Mr. Barnas' patently false complaint] and then administer the penalties, fines and rulings under its power, should they find this [complaint by Mr. Barnas to be as devoid of merit as they have already concluded in their June 10, 2013 Letter].

For all the many foregoing reasons contained in this petition, it is respectfully urged by Ms. Yeago that this Commission, pursuant to Rule 2B-1.0045 determine that the

Petition does contain sufficient facts and grounds to support the claim for costs and attorneys' fees and that the Commission further order a hearing involving any disputed issues of material fact to be held before the Commission, or Commissioner or Commissioners designated by the Commission, or by referring the Petition to the Division of Administrative Hearings for a formal hearing.

Respectfully submitted,

Paul R. Regensdorf, Esq.
Florida Bar No: 0152395
HOLLAND & KNIGHT LLP
50 N. Laura St , Ste 3900
Jacksonville, FL 32202
Phone: 904-353-2000
Fax: 904-358-1872
E-Mail: paul.regensdorf@hklaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via email
this 10th day of July, 2013, to:

Donna Ann Malphus
Agency Clerk
Florida Elections Commission

107 W. Gaines Street
Suite 224 Collins Building
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

/s/ Paul R. Regensdorf

#24114488_v1

EXHIBIT "A"

Yeago 4



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

April 3, 2013

CERTIFIED MAIL 70042510000147395596

Sharon L. Yeago
21120 NW 132nd Lane
High Springs, FL 32643

RE: Case No.: FEC 13-125, Respondent: Sharon L. Yeago

Dear Ms. Yeago:

On April 3, 2013, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws. Section 106.25(2), Florida Statutes states:


The respondent shall have 14 days after receipt of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that I receive your response in a timely manner, you may also want to send it via e-mail to my attention, at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined legally sufficient. Please note that all correspondence from this office will be mailed to the same address as this letter. Therefore, if your address changes, you must notify us of your new address.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing.

The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Ann Malphurs". The signature is fluid and cursive, with the first name "Donna" being the most prominent.

Donna Ann Malphurs
Agency Clerk

Enclosure: Complaint w/attachments

DAM/ip

STATE OF FLORIDA

FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050

Telephone Number (850) 922-4539

www.fec.state.fl.us

RECEIVED

CONFIDENTIAL COMPLAINT FORM

2013 APR - 3 A 10:54

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Robert J Barnas Work Phone: (352) 538-7355
Address: 20147 NW 257th Terrace Home Phone: (386) 454-2702
City: High Springs County: Alachua State: FL Zip Code: 32643

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.

Name of individual: Sharon L. Yeago
Address: 21120 NW 132nd Lane Phone: (352) 256-8115
City: High Springs County: Alachua State: FL Zip Code: 32643

If individual is a candidate, list the office or position sought:

Name of committee or organization:

Address: Phone: ()

City: County: State: Zip Code:

Have you filed this complaint with the State Attorney's Office? (check one) [] Yes [X] No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: Chapter 104, Chapter 106, Section 98.122, and Section 105.071, Florida Statutes Also, please include:

- The facts and actions that you believe support the violations you allege,
The names and telephone numbers of persons you believe may be witnesses to the facts,
A copy or picture of the political advertisements you mention in your statement,
A copy of the documents you mention in your statement, and
Other evidence that supports your allegations.

Sharon L Yeago formed a organization with Linda Jones and several others to make political positions know and most specifically to oppose a ballot referendum issue to limit debt

This was on the ballot November 2012 in the city of High Springs, Florida.

Details of the complaint and Florida Statutes is attached.

Two or more people, making expenditures and opposing a ballot issue. In addition, registered agent was not named. Registered treasurer was not named and reports were not filed. Again, detail information is attached.

Additional materials attached (check one)? Yes No

4. OATH

STATE OF FLORIDA
COUNTY OF Alachua

I swear or affirm, that the above information is true and correct to the best of my knowledge.

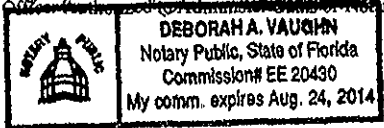
[Handwritten Signature]

Original Signature of Person Bringing Complaint

RECEIVED
2013 APR -3 A 10:54
SUNSHINE STATE

Sworn to and subscribed before me this 1st day of April, 2013

[Handwritten Signature]
Signature of _____



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known Or Produced Identification _____

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

April 1, 2013

Florida Election Commission
107 West Gaines Street
Suite 224
Tallahassee, Florida 32399-1050

Dear FEC,

High Springs is a small town compared to Tallahassee. The numbers of voters and dollars spent are at different ends of a chart. But money is money and politics is politics. So whether it is millions of dollars and hundreds of votes for a large town and a Political Committee (PC) or a small town where thousands of dollars and a few dozen vote is involved, the law is clear and has been written to deal with both equally. As an example I suggest you look at FEC case 06-129.

And if a PC's action affects Tallahassee or High Springs, the result of the vote of a yes or no is the same. The loss or win in an election, or an issue. Size of a voting population is not of importance. And with that, **MUST** be dealt with in a manner that is equal, whether a town is big or small.

Florida law has been written to deal with either case, big or small. It is clear that a PC is only 2 or more people, spending \$500 or more, and in support or against a candidate or issue. Not issues, not candidates combined, but only one issue would be sufficient. And in this case a **ballot referendum**.

This complaint is a complaint against a group/committee that was organized to oppose a specific issue, and in fact is still in existence and making statements in support of or against issues.

I will detail my allegations in following information. I am submitting this now because I just was able to document (in writing and not hearsay) a second person to satisfy the two person rule.

For the November 2012 election in High Springs Florida candidates registered to run, and an issue was place on the ballot to limit the debt of the city and placing a restriction on the ballot. The ballot was set by Alachua County Election office of Pam Carpenter and the municipal High Springs City Clerk (in charge of city ballot) Jenny Parham (see ballot and results Exhibit 1). And two candidates for one seat were Byran Williams and Pat Rush. The other seat was Scott Jamison and Ed Reiss.

This complaint is that a group of many individual formed an organization/PC, to defeat the ballot issue and also support and support the election of Byran Williams and Scott Jamison. They set up a "steering committee" (please note they do use the word committee) to write their goals and positions and called them "principles". I feel this organization used the term "steering committee", but was actually a PC that would conform to Florida Statute as defined in 106.011 (1)(a)(1)(c).

Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or **defeat of an issue**.

000000

Again, this group had more than 2 people, and may have taken contributions, but certainly made expenditures on advertising, signs, written material and events advocating reform at the city. And again, for the defeat of a ballot issue of the City of High Springs. The ballot issue was a referendum to limit city debt.

This organization used a disclosure that it was a "grassroots" organization and did not fall under Florida Statute 106. Florida Statute 106 makes no mention of exclusion of any "grassroots" group. The fact that they referred to FS 106.11 is proof they knew of this statute. Yet they knowingly and willfully avoided complying with it on all levels.

What FS 106 covers and FS 106.011 defines, is a "political committee". And most certainly it is my opinion in this complaint that this group/organization began a string of violations when it knowingly and willfully avoided becoming a PC that never properly registered as required under FS 106.03 (3) (c).

"A political committee which is organized to support or oppose only candidates for municipal office or issues to be voted on in a municipal election shall file a statement of organization with the officer before whom municipal candidates qualify".

They never appointed a treasurer as required by FS 106.021(1) (a).

"Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer".

Never appointed a registered agent required by FS 106.022(1).

"Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the filing officer a statement of appointment for the registered office and registered agent".

Never filed timely reports of the organization and its financial expenditures as required by FS 106.07.

"Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.07 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee".

The following information will be a timeline of the birth or founding of Concerned Citizens for a Better High Springs (hereafter referred to as CCFBHS). A group of more than 2 people who spent more than \$500 on the High Springs City Election and the defeat of a ballot issue to limit debt of the city.

Again, it is my contention this organization fits Florida Statute 106 as a PC. They never registered properly or filed reports of financial disclosure. They ignored the law.

While there are more than 100 members, it would be difficult to single out individual officers. But there are two people who have made written statement (see Sharon Yeago attached email Exhibit 2, and Exhibit 2 a Facebook statement of Linda Jones) where they admit to being either the spokesperson or

steering committee person and hubs for information in and out of the organization. These two people I hold fully responsible for organizing and NOT filing as a PC, registering as an agent or treasurer of this PC. Then, not filing appropriate financial reports and disclosures as required by a Florida Statute of a PC. I have named Sharon Yeago in this complaint as the responsible party.

The FEC needs to look at the timeline and evidence. The FEC needs to see how this organization has tried to call itself a "grassroots" organization to simply avoid being a PC. The FEC need to bring to bear its power and authority given to it by the State of Florida law and investigate, and take all appropriate measure under its power to determine the status of this organization and then administer the penalties, fines and rulings under its power, should they find this organization is a PC and failed on all levels to register and file reports. To not do so would open the door for all other organizations to avoid Florida State requirements across Florida, whether big or small.

Here is a timeline and evidence I have gathered.

During early September 2012 an organization called CCFBHS and their Facebook page surfaced. A PC was born. It says on the Facebook page that it was founded September 28, 2012. I have attached (Exhibit 3) a copy of the Facebook founded page.

On October 1 and 8, newspaper stories came out that reported the organization, steering committee people and more. Sharon Yeago again is quoted (Exhibit 4).

They have a Facebook page "Concerned Citizens for a Better High Springs" that has an "About" page with a Mission Statement. The mission statement is a statement of political views and opinions that address issues facing High Springs. This site was established September 17, 2012, founded September 28, 2012 and ran almost weekly political statements right up till, the election on November 7, 2012.

This organization from early September began holding regular meetings at the building (Video City) owned by one of its members, Ed MacKinnon (George Edgar MacKinnon). This in effect was an in kind donation (one donation for every meeting) by Mr. MacKinnon that he has not disclosed and/or was not reported by CCFBHS.

These meetings discussed the future of High Springs, the ballot issue and support for Byran Williams.

At the Candidate Forum at the High Springs Women's Club they distributed more flyers (Exhibit 5) that set in stone their political stance on the debt issue on the ballot. They supported DEFEATING the charter amendment issue. I have also attached a copy from the Facebook site where Gene Levine (one of the members) makes a post in support of Byran Williams and refers to "we" (the group) and the Facebook page allows it to go out to all friends and the public for the record.

This organization gathered names of over 100 supporters and friends. This organization on October 31, 2012 places a full page ad in the Alachua Today newspaper (Exhibit 6). The cost of which is estimated over \$500. Either someone wrote a check to the paper, or the paper made an in kind donation. While I have said estimated at over \$500, it has been said to me that the cost is much closer to \$1000. This one ad alone will be the key to expenditures. Two names in this ad (at that time and now) are sitting High

Springs Commissioners Sue Weller and Scott Jamison and 1 candidate Byran Williams (at that time), and is now a sitting commissioner (who was elected and sworn in on November 17, 2012).

During the pre election period many named members held signs for Byran Williams and on Election Day had a tent with his signs and again held his signs next to the two 4ft X 4ft "Vote NO" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places. I do not have a picture of these posters, but witnesses will verify that they were there and that these members held candidate Byran Williams signs. The cost estimated of two large referendum posters is estimated at \$100.

I have included additional pages and pictures from the Facebook site. You will see political statements and pictures of organization/political banners. At an event at city hall this committee/organization displayed a large banner (see photos dated.....) naming their organization and, asking for people to "join us", they handed out flyers (at a cost) and made political statements on issues facing the City and the Commission of High Springs. The cost estimated of this banner is \$100.

Other expenditures by the CCFBHS included lunches for city employees on city property. Cost unknown.

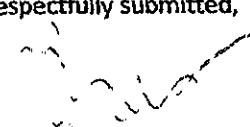
This organization certainly has spent well over \$500, with my estimate being more like \$1000-2000.

This organization after the election has virtually stopped activity, but is still in existence. It was their sole purpose to truly influence the election and ballot issue. But they still seem to be in around based on their Facebook.

This complaint is that Sharon Yeago with Linda Jones organized and created a steering committee for the CCFBHS as a Political Committee. And through their "steering" had knowledge of spent funds opposing an issue on the ballot and supporting candidates, in violation of Florida Statute as mentioned above. More specifically this complaint is that Sharon Yeago has violated:

- 1) FS 106.03 (1) by failing to register a PC with the Supervisor of Elections (Jenny Parham) for the City of High Springs (a Florida municipality).
- 2) FS 106.022 by never appointing a registered agent as required.
- 3) FS 106.021(1) (a) by never appointing a treasurer as required.
- 4) FS 106.19 (1)(d) making many financial expenditures.
- 5) FS 106.06 several times for not keeping records.

Respectfully submitted,


Bob Barnas
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355 (cellphone)

NO. 10
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 3 - ARTICLE XII, SECTION 32

Tangible Personal Property Tax Exemption

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective law, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

YES

NO

NO. 11
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6

Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

YES

NO

NO. 12
CONSTITUTIONAL AMENDMENT
ARTICLE IX, SECTION 7

Appointment of Student Body President to Board of Governors of the State University System

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

YES

NO

If you live in the City of Archer,
↓ these races will appear on your ballot. ↓

ARCHER CITY COMMISSION
SEAT 1
(Vote for One)

Laurie Costello

Doug Jones

ARCHER CITY COMMISSION
SEAT 2
(Vote for One)

James Mayberry

Marjorie Zander

000007

ALACHUA COUNTY QUESTION 1
FIX OUR ROADS ALACHUA COUNTY:
FUNDING ROAD IMPROVEMENTS BY LEVYING A .7% SALES SURTAX

Shall Alachua County implement a Road Improvement Plan to extend the life and improve the safety of county Roads by maintaining, paving and reconstructing Roads; and in the Cities of Gainesville, Alachua, Newberry, High Springs, Hawthorne, Waldo and Archer, and the Towns of Miccosukee and LeCrosse, funding municipal Road maintenance, construction, reconstruction and paving projects, by levying a .74% sales surtax for 15 years subject to independent audit and citizen review.

FOR the three-quarters percent (.74%) transportation sales surtax.

AGAINST the three-quarters percent (.74%) transportation sales surtax.

ALACHUA COUNTY QUESTION 2
RENEWAL OF THE EXISTING ONE MILL AD VALOREM TAX FOR
SCHOOL DISTRICT OPERATING EXPENSES

Shall the Alachua County School District's existing one mill ad valorem tax be renewed, beginning July 1, 2013, and ending four years later on June 30, 2017, for necessary operating expenses to fund school buses, elementary music and art programs, K-12 school library programs, K-12 guidance programs, middle and high school bands and chorus programs, academic/career technical magnet programs and to update classroom technology; with oversight by an independent citizens' committee?

YES

NO

If you live in the City of High Springs,
↓ these races will appear on your ballot. ↓

HIGH SPRINGS CITY COMMISSION
SEAT 4
(Vote for One)

Pat Rush

Bryan Williams

HIGH SPRINGS CITY COMMISSION
SEAT 5
(Vote for One)

A candidate has withdrawn from this race. Therefore, a vote cast in this race will not change the outcome as the remaining candidate is deemed by law to be elected for the race.

Scott Jamison

Edward "Ed" Fress

PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

If you live in the part of Precinct 40 that is not within
↓ the City of Gainesville, this race will appear on your ballot. ↓

ANNEXATION
(Vote for One)

FOR annexation of property described in Ordinance Number 120172 of the City of Gainesville

AGAINST annexation of property described in Ordinance Number 120172 of the City of Gainesville

**OFFICIAL RESULTS
GENERAL ELECTION, ALACHUA COUNTY
NOVEMBER 6, 2012**

Date:11/16/12
Time:16:55:28
Page:4 of 4

****INCLUDES ALL LEGALLY CAST BALLOTS****

Registered Voters 164970 - Cards Cast 242059 146.73%

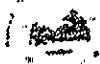
Num. Report Precinct 63 - Num. Reporting 63 100.00%

Archer 2		Total
Number of Precincts		1
Precincts Reporting		1 100.0 %
Times Counted	515/696	74.0 %
Total Votes		457
James Mayberry	218	47.70%
Marjorie Zander	239	52.30%

High Springs 4		Total
Number of Precincts		2
Precincts Reporting		2 100.0 %
Times Counted	2911/3710	78.5 %
Total Votes		2634
Pat Rush	1179	44.76%
Byran Williams	1455	55.24%

High Springs Charter		Total
Number of Precincts		2
Precincts Reporting		2 100.0 %
Times Counted	2911/3710	78.5 %
Total Votes		2686
YES	1801	67.05%
NO	885	32.95%

Annexation		Total
Number of Precincts		1
Precincts Reporting		1 100.0 %
Times Counted	680/798	85.2 %
Total Votes		665
FOR	62	9.32%
AGAINST	603	90.68%



Bob Barnas <bbarnas@highsprings.us>

Re: Concerned Citizens for a Better High Springs

1 message

Sharon Yeago <sharon@yeago.net>

Fri, Dec 7, 2012 at 12:25 PM

To: Bob Barnas <bbarnas@highsprings.us>

Cc: John Manley <jmanley3@yahoo.com>, Bob Jones <ticonderoga47@hotmail.com>, Linda Jones <sunsetwishes@hotmail.com>

Bob, if you are interested in publicly supporting our values, you should follow the instructions outlined in every publication, press release or article that has been written or distributed to date. These are readily available on Facebook, Alachua Today and the Observer.

Please let me know if you need another copy of these materials. We can share with your our Guiding Principles, Recommendations etc.

As you also know by reviewing our supporters list previously submitted we already have three commissioners who support our values. Therefore, attendance at our meetings could become problematic and I would recommend legal advice on that issue.

I am traveling and have not had access to my computer (I'm using a guest services computer right now during my lunch break at a conference in Jax) which is why the delay in my response to you.

I look forward to your response. I return to High Springs this evening and can forward you any materials you require at that time.

Take care Sharon

On Thu, Dec 6, 2012 at 1:04 PM, Bob Barnas <bbarnas@highsprings.us> wrote:

- > Sharon,
- >
- > So how does someone, say someone like me become a member? Is there an application?
- >
- > Can I get a list of current members after I become a member?
- >
- > I understand other commissioners are members and for the good of the community we should have unity
- >
- > Bob Barnas
- > High Springs City Commissioner
- >
- >
- >
- > On Wed, Dec 5, 2012 at 8:02 PM, Sharon Yeago <sharon@yeago.net> wrote:
- >>
- >> Dear Bob, Lee and Scott,
- >>
- >> I am the official spokesperson for the Concerned Citizens group. I

>> have handled all publicity and development of public policy
>> statements.
>>
>> As you may also know, we are a group of concerned citizens. We are
>> not incorporated, have no fictitious name registration and therefore
>> do not have a bank account. We do have a Steering Committee (copied
>> here.) A list of our public supporters is attached for your record
>> and to clarify 'who are these people?' This was published in Alachua
>> Today. Please feel free to distribute to anyone requiring clarity.
>> While there are many names of prominent citizens, most of those listed
>> are regular folks who just live and/or work in High Springs.
>>
>> For clarification, we have absolutely no affiliation with any other
>> organization, including the HS CDC and I would appreciate it if you
>> would keep that in mind during future public statements about our
>> group. Most of the supporters of CCFBHS are actively engaged in their
>> community, whether at church, their childrens' school, the community
>> theater, or other groups and so it would stand to reason that they
>> would be affiliated with one organization or another. We include
>> Republicans, Democrats, liberals, moderates and one supporter who
>> describes herself as 'right of the Tea Party.' Our supporters
>> comprise all aspects of community life in High Springs.
>>
>> If you require a mailing address, please feel free to use either my
>> personal residence at 21120 NW 132 Lane, High Springs, FL 32643, or PO
>> Box 2114, High Springs, FL 32655-2114, which I have maintained for
>> more than a dozen years.
>>
>> Regarding donations, we are accepting gifts and gift certificates as
>> well as food and volunteer time for the Holiday Gathering event which
>> is a dinner for City employees and their families. In addition to
>> food, gifts will be distributed. Many citizens are coming forward to
>> help with this dinner.
>>
>> As a point of reference since we don't each other very well, I served
>> the City of High Springs for 8 years as an independent contractor that
>> developed and managed the High Springs Farmers Market from 2000 to
>> 2008.
>>
>> I was also a consultant to the City many years ago when the City tried
>> to save the Youth Center which was previously located in the Old
>> School. In both cases, I was specifically requested to serve by the
>> City Commission (we were under a mayor form of government back then.)
>> I have worked very closely with city staff for a long time and have a
>> fondness and respect for our government and the people who work for
>> us, the taxpayers.
>>
>> Please direct any questions, concerns or issues to me should they
>> arise. I will be most happy to respond as quickly and completely as
>> possible so that there are no further issues with miscommunication or
>> distribution of incorrect information
>>
>> Thank you for your service to our City
>>
>> Take care, Sharon
>>
>>
>>
>> Begin forwarded message:

>>
>> From: Bob Barnas <bbarnas@cityofhighsprings.com>
>> Subject: Concerned Citizens for a Better High Springs
>> Date: December 5, 2012 3:46:53 PM EST
>> To: Lee Vincent <lvincen@cityofhighsprings.com>, Scott Walker
>> <scot.walker@cityofhighsprings.com>, Sharon Yeago <sharon@cityofhighsprings.com>
>>
>> Lee and Scott,
>>
>> I asked Jenny today for an address for the group. She has no physical
>> address linked to this group. I would like to know iff this is OK? Is
>> it OK to give the use of the "Old School" to a group that has no
>> single spokesperson as their head and no address to correspond with
>> should there ever be an issue going down the road? They are asking the
>> community on Facebook for donations. It does not say to the city, or
>> to them.
>>
>> The only thing Jenny has is that the email from them that they use was
>> linked to a request from Ross Amborse. So if he is their spokesperson
>> or person that organized the group fine, just let us know so we can
>> send a thank you card or documents we may have to deal with Ed
>> McKinnon, Sharon Yeago, Linda Jones.....who is actually trhe
>> responsible person for the grassroots group? Are they at the address of
>> CDC? I think we need to know.
>>
>> While there are many prominent names in the group, I have been asked
>> who are these people?
>>
>> cc: hscrize.us@j2mail.com
>> Bob Barnas
>> High Springs City Commissioner
>> 352-508-7055
>>
>> *Please note:*
>>
>> Florida has a very broad public records law. Most written communication,
>> including e-mail addresses, to or from the City regarding City business
>> are
>> public records available to the public and Media upon request. Your e-mail
>> communication may be subject to public disclosure.
>>
>>
>>
>>
>> -
>> Sharon L. Yeago
>> 352-415-6117 phone
>> 352 256-0116 cell
>>
>> _____
>> "The first wealth is health."
>> - Ralph Waldo Emerson
>>
>> "Let thy food be thy medicine and thy medicine be thy food "
>> - Hippocrates
>
>
>

11:17
✓

- >
- > -
- > Bob Barnas
- > High Springs City Commissioner
- > 352-532-7325
- >
- > *Please note:*
- >
- > Florida has a very broad public records law. Most written communication,
- > including e-mail addresses, to or from the City regarding City business are
- > public records available to the public and Media upon request. Your e-mail
- > communication may be subject to public disclosure.
- >
- >

--
 Sharon L. Yeago
 352-418-8017 phone
 352-256-8115 cel

 "The first wealth is health "
 - Ralph Waldo Emerson

"Let thy food be thy medicine and thy medicine be thy food "
 - Hippocrates

Search for photos, pages and things

High Springs Home

Create Page
Followed



Concerned Citizens For A Better High Springs

126 likes 2 talking about this

Liked

Community

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commissioner and professional management that provide leadership, accountability and a vision for our future.

126

About - Suggest an Edit

Photos

Likes

Highlights



Concerned Citizens For A Better High Springs
3 hours ago

Code Of Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the last Commission Meeting.

"Good evening Mayor & Commissioners,

My name is Linda Jones and I am a resident of Edgemore in High Springs. I am speaking tonight on behalf of the Concerned Citizens group, where I serve on the Steering Committee

Last fall, when our Mission Statement was drafted, we publicly defined four Principles that would guide our group. This included, "Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents." Adopting a Code of Conduct for our city leaders is consistent with this principle and we encourage the Commission to do so.

The City of High Springs is not breaking new ground by considering such a code. The cities of Bradenton and St. Pete here in Florida have recently adopted such codes, ones I can only assume our City Attorney has reviewed in preparing the Resolution you are considering tonight. The Internet, Social Media, availability of video cameras in everyone's cell phone are just some of the driving forces behind the need for our city to provide clear guidance and expectations for our officials. The job of representing the city is a 24/7 responsibility where it is not easy, if not at times impossible, to make the distinction between personal comment and action vs. that of a representative.

Concerned Citizens believes that it is the duty of our representatives to be held to a higher standard as should be detailed in an adopted Code of Conduct. Please vote to support such a code or explain to the community why the proposed code is not being supported.

Thank you "



Concerned Citizens For A Better High Springs
March 15

Everyone Wants To Make A Difference.

Cancer effects so many at so many levels. The Soup-R-Sweet Social is your opportunity to say that you understand or have been effected.

THIS SATURDAY - March 16th from 5:30 to 8 PM (FOR ONLY \$5 + a non-perishable food item) you can show your support for the fight against cancer.

Your donated food item will go to the community pantry run by Catholic Char... See More

Share

Diana Potter, Janis Cataldo Barneb, Jim Dodson and 5 others like this.



Misty Noyd Hinson Where is this being held? Would have been good to know about this a little sooner?
March 15 at 6:41am via mobile



Concerned Citizens For A Better High Springs The Soup-R-Sweet Event is being held at the Women's Club in High Springs. The information and request to pass this information along was provided to us on Thursday. Hope your plans are flexible enough to make it and support those community groups.
March 15 at 10:13am



Concerned Citizens For A Better High Springs
February 6

Heather McCall Caballero posted this and we also wanted to share this information with the community. He was a very good public servant and will be missed

Sgt Chuck Harper lost his fight with cancer this evening. For those of you who may not know him, Sgt Harper was the HSPD officer who responded to the shooting at our school. He has fought a long hard battle and I ask that you pray for the family he has left behind.

Share

6 1 3



Concerned Citizens For A Better High Springs
December 14, 2012

Christmas Party for Employees (29 photos)
Old School House first event: Dec. 14, 2012

030110

About

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

Description

'Good Policy equals good government'

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com.

Basic Info

Founded September 28, 2012

History by Year

2012 Founded on September 28, 2012

Founded on September 28, 2012

In High Springs, Florida.

4 people like this.



Sharon Kantor How do we go about making High Springs better?? I am willing to work at it!
September 17, 2012 at 7:48pm · 1



Concerned Citizens For A Better High Springs Keep up to date with this page. Opportunities to meet, discuss and create |
to review and implement will be forthcoming.
September 17, 2012 at 8:39pm · 1



Robert McClellan Whatever happened to the vision of a vibrant little Main street town, with cafes and upscale shops? Instead
ministries, empty storefronts and second-hand junk shops. And I thought the city was going to turn Poe Springs into the eco-t
I am very disappointed.
September 21, 2012 at 9:49am



Sharon Yeago watch this sapce for more information!
September 28, 2012 at 10:18am



Genie O'Brien @ Robert, I heard on NPR WUFT radio the other day that Poe Springs Park has been turned back over to the C
Springs, and the ongoing problems rebuilding the concrete steps was mentioned At the end of the segment they said "mayb...
September 28, 2012 at 2:24pm · 1



Genie O'Brien Thank you for the invitation to like this page and get involved. Technically I live in an unincorporated area betw
High Springs but if my input and or participation in helping to restore civlity and sanity in the City of High Springs is welcome,
assist however I can.
September 28, 2012 at 2:26pm



Sharon Yeago we'll add your name to our effort, thanks Genie!
September 28, 2012 at 2:34pm · 1



Susan Jefferbaum Esq. Tell your friends about this effort. It is important that word gets out. If we all work together we can
September 28, 2012 at 2:46pm



Concerned Citizens For A Better High Springs Sharon Kantor, Robert McClellan, please let us know if we can add your na
supporters. See more information above that has been added. We can email you our founding Mission Statement and Principle
September 28, 2012 at 2:47pm · 1



Sharron Erikson Please add me to your list. I am thankful to have a successful business in High Springs, but more civlity and
would definitely encourage me to keep it here. Let me know what I can do.
September 28, 2012 at 3:47pm · 4



Back In Balance Natural Health Care I am so happy to see I am not the only one concerned about the way things are hap
this time. I often feel like "Alice in Wonderland" that has dropped down the rabbit hole and things just keep getting curiouse
see the charm and character of our town restored.
September 30, 2012 at 5:45pm · 2



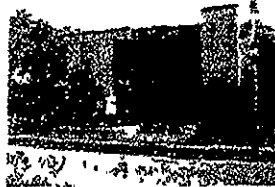
Jayne Orr Sign me up. I have watched as many others have, our community fall apart. A few years ago we helped shape the f
seems like now we are just watching people in power fight with no sense of how they are affecting the lives of so many. An op
beginning. Thanks.
October 1 2012 at 7:53am · 1

63525

Citizen Group Forms In High Springs

Staff Reporter

• Mon, Oct 01, 2012



A group of local citizens has formed Concerned Citizens for a Better High Springs in an effort to effect good policy decisions by local government. This newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials, utilizing existing governance structures and creating new policies to improve the wellbeing of the City of High Springs.

According to local resident, John P. Manley, III, one of the initial organizers of the group, "We hope to put before the Citizens of High Springs a series of goals for the management and administration of the City to return it to a balanced, financially viable operation. Additionally, we wish to promote the City Administration as a pro-active catalyst for serving the people and move the City to reach its highest and best potential. We wish to create an environment of appreciation and initiative that works to rebuild the once strong morale amongst the City Staff so they can continue to serve the Citizens with the distinction for friendliness and service they have always had. Finally, we wish to incorporate those near term goals for stabilizing the City into a component of a broader landscape that paints a future picture of the City that all the townspeople can embrace; and work together to accomplish. We want our town to be the kind of town that our children hope to remain in to start their families and raise their children."

The group's mission statement reads, "Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future."

The group developed four Guiding Principles that it is using to educate the community and will offer policy recommendations on these issues:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs is looking for local residents, business owners and others invested in and supportive of its goals. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at www.facebook.com/bosiam3.

Local

High Springs residents rally to form grassroots group

Details Published on Monday 09 October 2012 15:32 Written by C. WALKER Plus 315

16

[0 Comments](#)



Concerned Citizens for a Better High Springs hosted a lunch for City employees on the heels of a 6.07 percent pay cut.

HIGH SPRINGS -- Members of the newly-formed group, "Concerned Citizens for a Better High Springs" (CCBHS), delivered lunch on Wednesday, Oct. 3, for City of High Springs employees affected by the recent 6.07 percent salary cut to all non-union City employees.

"We want to encourage our City employees to hang in there by providing support in a meaningful way," said CCBHS Publicity Chair Sharon Yeago. "Our employees are taking a financial hit for the benefit of the city. We want them to know how much we appreciate their efforts and supplying lunch is one small way we can help relieve one burden, the financial responsibility of lunch, and show our appreciation," said Yeago.

The group, which has grown to more than 150 members in fewer than five days, was "formed to support good policy decisions in our government," said CCBHS Steering Committee Chair and High Springs resident John Manley. Other members of the Steering Committee include local residents Becky Johnson, Bob Jones and Linda Jones.

Both Yeago and Manley are proud that they were able to attract so many citizens interested in supporting good policy decisions by city government in such a short time using Facebook, email and personal outreach.

"We are a nonpolitical, nonpartisan organization," explained Yeago. The group has already created a mission statement and guiding principles, which are all listed on the organization's Facebook page. The group's mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs' reputation as a fair and open government that is inclusive, open and fair.

Steering and Events committees have been established by the group," said Yeago. One of the first actions of the Events Committee is the provision of Wednesday's lunch for non-union city employees. Events Committee members include Ed MacKinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb.

"This citizens group came together out of a deep concern and love for the city of High Springs. This city is at a crossroads," Manley said. "We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the citizens can get behind and work to make happen," explained Manley.

"We are encouraging citizen participation in deciding the direction of our city," said Yeago. "This is a group to help our government consider policy decisions that make our city viable," she said. "Our group has no political agenda. We just want to help the city make the best decisions they can for our citizens and the future of High Springs," she said.

Yeago explained further, "Our agenda is based on good policy and we will be making what we consider to be good policy recommendations on an ongoing basis. Good policy transcends politics. It's not about who happens to be in the office at the moment. It's about how our government serves its citizens now and in the future."

"What we're trying to do is develop solutions for what we feel are the problems we now have," Manley said. "We are a strategic group, not a political group," he insisted. "Politics is not a part of what we're doing. We want to contribute solutions and encourage other citizens to get involved to help do the same," he said.

"We have problems that may take 5 or 10 years...or possibly more, to solve. Previous commissions made decisions under different economic conditions than we have today. Perhaps we have to look at earlier decisions in a different light given our current economic condition. We want a city that is professional and well run," he said. "We just want to participate in the process."

Anyone interested in more information about Concerned Citizens for a Better High Springs may locate their website on Facebook or contact a member of the organization.

#

email Owaker@alachuatoday.com

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. **The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.**
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service.

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

2. **The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.**
 - a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
 - b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices.
 - c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

3. **The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance**
 - a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices.
 - b. The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

- a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
- b) **Brick & Mortar -** City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

reminds you to

to ensure your voice is heard in High Springs!

**SAMPLE GENERAL ELECTION BALLOT
ALACHUA COUNTY, FLORIDA
NOVEMBER 6, 2012**

VOTE BOTH SIDES OF BALLOT

Page 4 of 4

Go ALL the Way!

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Byran Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

Scott Jamison

Edward "Ed" Riess

**PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1**

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.

a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000,

b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000 but always projected at less than the City's cost;

c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years, and an expected further drop of at least 9%, making the local dispatch center's increased cost inappropriate at this time.

THEREFORE, WE BELIEVE: Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour;

b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices;

c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically. THEREFORE, WE BELIEVE: The morale of the City's valued employees is frighteningly low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance

a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices,

b. The City has been operating without an experienced City Manager, City Attorney, City Planner, City Engineer, Public Works Director, full time Codes Enforcement Officer, full time Utilities Operator, and full time Parks and Recreation staff leaving the City with a significant loss of institutional knowledge making it very vulnerable in all phases of operation and management oversight,

d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

THEREFORE, WE BELIEVE: The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.

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THEREFORE, WE BELIEVE Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissioners are able to run City government:

a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissioners' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla. Stat. Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>.

1. "Case on Call: The 5 Points of Spring" 1.5

Click this link will provide you with your very own copy of our Five Key Areas of Concern:
<https://docs.google.com/open?id=0B8wCOLL7-est6Lr5W1hL1Gh2et.0>

Please share!

5 Points.pdf - Google Drive

<https://drive.google.com>



As of Friday night 9/28/2102, if the information is correct, it appears that Edward Riess has thrown in the towel leaving Scott Jamison to retain Seat 5 unopposed. That leaves Patrick Rush to run against Byran Williams for Seat 4 the seat now held by Dean Davis who is all too friendly with Rush.

Dean's close friend Robyn Rush instructed Davis to support Pat Rush and Davis is going around town putting up "Vote For Rush" signs.

We must remember Pat Rush as the sole owner of "Pat's Place" a coffee shop on Main street that went out of business. He couldn't blame anyone else for his businesses' demise because he made all the decisions. How can any citizen of High Springs even think of voting for someone who couldn't successfully run his own small business to run our City's big business?

Everyone should send the present triumvirate a clear message that we the people, who this trio works for, can't take their lack of professionalism anymore. We will vote for Byran Williams because he has nothing to hide about his past and wants the chance to do damage control and better position High Springs to thrive once again by bringing in much needed jobs.

1. Concerned Citizens For A Better High Springs

04/17/2011

Volunteers spent time during the Community Garage Sale today talking with folks about what has been happening in our community and the policy's we would like the City and Commission to focus on. Please let us know if you would like to be on the email list by emailing HSCitizens@Gmail.com. Thank you to everyone that helped today, stopped by or provided food!



Top of Form

- 111 Share
- 11 people like this.
- View 1 comment

Bottom of Form

1. Concerned Citizens For A Better High Springs . . . link

September 30, 2012

Please join our group to help change this!



Political turmoil continues to bubble in High Springs

www.gainesville.com

It was quiet in High Springs on Thursday night, from the empty sidewalks and darkened storefronts to the surprisingly cordial City Commission meeting.

Top of Form

- 22Share
- 2 people like this
- View all 2 comments

Bottom of Form

1. [Concerned Citizens For A Better High Springs](#) link

October 23, 2012

October 23, 2012

**CITIZEN GROUP ENCOURAGES HIGH SPRINGS VOTERS TO 'GO ALL THE WAY' TO THE END OF THE BALLOT;
CHECK YOUR POLLING LOCATIONS AND
ANNOUNCES THAT RIDES ARE AVAILABLE TO THE POLLS**

Concerned Citizens for a Better High Springs enco...See More

Alachua County SOE Mobile Web Site

elections alachua.fl.us

2. Type in your street name You do not need to enter the direction or street type Example: If you live on East Main Street , type
In Main

Concerned Citizens For A Better High Springs
October 31, 2012

Check out this week's Alachua Today for an important message
from us! Thanks SO MUCH for your support!

1 Concerned Citizens for Better High Springs

March 2, 2014

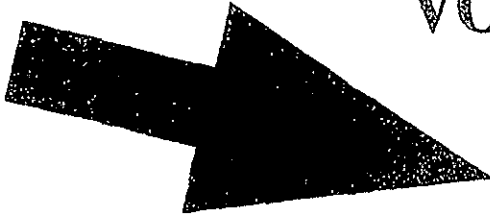
You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building

We are still focused on our Guiding Principles. If you would like a copy or to be added to the list, see below

CONCERNED CITIZENS FOR BETTER HIGH SPRINGS

JOIN US!





VOTE ON NOVEMBER 6TH

GO ALL THE WAY

TO THE END OF THE BALLOT

To ensure your voice is heard!

High Springs Residents... Need a Ride to Vote? We Can Help! Call Sandi at 352-339-4345

**CONCERNED CITIZENS FOR A
BETTER HIGH SPRINGS**

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

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We, the people...

- | | | | |
|-----------------------------------|-----------------------------------|---------------------------------------|--|
| Susanne Ackermann | Karen Wood Davis | Bradley Kyes | Julie Gamber Samosuk |
| Stefi Hulin Affron | Tom DePeter, former City | Alvalyn Luncaster | Lynula Shutter Schladant |
| Christopher Agle | Commissioner/City Attorney | Karma Norjin Lhamo | Saraj Shana |
| Ross Ambrose | Joan Dickson | Karen Koch LeMonnier | Leslie Smith |
| Lars Anderson | Ron Dickson | Arlene Dorn Levine | Mike Smith |
| Patsy Anderson | Deborah Douglas | Gene Levine | Ashley Spence |
| Dickie Arvin | Jen Drow | Nancy Linkous | Janet Stein |
| Shari Asbury | Dawn Lange Drumm | Tim Linkous | Jim Stein |
| Carolyn Baker | Ronald DuPont, Jr. | Michael Loveday | Darryl Steinhauer |
| Jeannette Banks | Saraj Earl | Christopher Locke | Heidi Tapanes |
| Penny Banks, former City employee | Terry Emma | Angie Lovelock | Rick Testa |
| JoAnne Barrows | Shannon Erickson | Buck Machete | Betsy Thomason |
| Celeste Beck | Darin Erskin | Cindy MacKinnon | Scott Thomason |
| Roger G. Beck, DPM | Holly Erskine | Ed MacKinnon | Nancy Torres |
| Susan J. Beck | William Eyerty | Francis MacKinnon | Dorsey Travis |
| Larry Behnke | Jennifer Forrester | Michael Mahoney | Larry Travis, former City Commissioner |
| Anne Alfano Bello | Earl Gabriel | Terry Malbie | Joanne Tremblay |
| Marilyn Bennett | Lucille Gabriel | John P Manley III, Steering Committee | Sharon Tugman |
| Karen Bentz | Debbie Gamber | Sharon Manley | Jan Walker |
| Marvin Blankenship | Maggie Gamber | Kathy Clarich Matheny | Jim Walker |
| Susie Blankenship | Jim Gamberton | Sanford Matheny | Toni Warner, former City employee |
| David Bludworth | Eryn Gardner | Barbara Martin | Marlon Watkins |
| Alvan Bluhm | Sandi Gardner | Dr. Tony Matheny | Damon Watson |
| Barbara Bluhm | Peter George | Herb Matilsky | Sandra Webb |
| Norma Boone | Allan Graetz | Robert McClellan | Sue Weller, City Commissioner |
| Donna Braabrook | Laura Graetz | Thomas McDonald | Tom Weller |
| Anna Bradford | Randy Graetz | Marilyn Mesh | Susie Westfall |
| Stacey Breheny | Alice Green | Dena Meyerhoff | Jennifer Whitney |
| Sharon Britton | Patricia Grunder | Steve Meyerhoff | Byran Williams, Candidate for City |
| Jay Bromschenkell | Donald Gudbrandsen | Barbara G Miller | Commissioner |
| Susan Brotherton | Elaine Gudbrandsen | Donna Mogler | Mike Williamson |
| Linda Buccheri | Constance Heuss | Henry Mogler | Charlett Wilson |
| Heather McCall Caballero | Michael Heuss | Scott Mogler | Sonja Moore Wilson |
| Valorie Cason | Linda Hewlett | Aaron Morphet | Carol Wiltbank |
| Pat Caudle | Tom Hewlett | Patti Moser | Lee Wiltbank |
| Dennis Chouinard | Linda Heyl | Betty Muller | Jim Wood |
| Paula Gavin Cifuentes | Kim Simmons Hill | Patty Napier | Sally Wood |
| Heather Clarich | Brian Hinote | Diane Norton | Tom Work |
| Jeannette Clarich | Misty Mead Hinson | Genie O'Brien | Sharon Yeago |
| Thomas Clarich, Sr | Albert Isaac | Sylvia Odom | Larry Zorovich |
| Thomas G Clarich | Lynn Jamison | Vanessa Oppel | <u>Local Businesses</u> |
| Suzie Clark | Scott Jamison, City Commissioner | Jayne Orr | Adventure Outpost |
| Hal Cohen | Loyce A. Jones | Cynthia Pailthorpe | Back in Balance Natural Health Care |
| Linda Cohen | Becky Johnson, Steering Committee | Betsy Patterson | Dive Pub & Grub |
| Tina Collins | David Johnson | Monalisa Phelps | Enchanted Memories |
| John Conly | Bob Jones, Steering Committee | Andy Phillips | Flying Fish |
| Jim Conner | Linda Jones, Steering Committee | Peter Pinitler | GoHighSprings.com |
| Barbara Cox | Willa Jones | Richard Pis | Grady House Bed & Breakfast |
| Paige Coyle | Sharon Kantor | Christian Popoli former City Planner | GLA Consulting Group |
| Rick Coyle | Judi Kearney | Christy Popoli | High Springs Copy Center |
| Crystal Lane Curran | Mike Kearney | Nellie Reed | Pampered Paws |
| Andrew Daugherty | Wanda Kemp | Lucie Regensdorf | The Wellness Spa |
| Carol Daugherty | Barbara Kowats | Maggie Riggall | The Workshop |
| | | Cathy Rivers | |
| | | Russell A Roberts | |
| | | Sanna Saaro | |
| | | Tari J Salomon | |

PLEASE JOIN US by emailing us at hscitizens@gmail.com or "Like" us on Facebook

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EXHIBIT "B"

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

CASE NO.: 13-125

RESPONSE OF RESPONDENT SHARON YEAGO
TO COMPLAINT IN FEC CASE NO. 13-125

The Respondent, Sharon Yeago files this Response to the Complaint filed against her in this Florida Elections Commission matter, Case No. FEC 13-125, and would respectfully show the Commission as follows:

1. Purposes of this Response: This Response will fulfill three purposes that are equally important in the proceedings of this Commission.

a. First, foremost, and most simply, this Response will demonstrate that the Complaint of Mr. Barnas is legally insufficient, on its face and as a matter of law, and should be denied, dismissed and stricken.

b. Second, this Response, the very attachments to the Complaint themselves, and the attachments to this Response, will further establish that, not only is the Complaint legally insufficient, it is also factually devoid of truth on its key points, incorrect, willfully false, and clearly known by Mr. Barnas to have been so prior to its filing.

c. Third, because of the points that will be conclusively established in the first two purposes above, this Response will lay the groundwork for a Petition for Attorneys Fees, Sanctions, and Such Other Penalties as the Commission Deems Appropriate, which will be promptly filed within 30 days of the dismissal of this Complaint, pursuant to this Commission's Rule 2B-1.0045, and Florida Statute §106.265(1) and (6). On page 3 of his Complaint [R-00005], Mr. Barnas urges this Commission "to bring to bear its power and authority" in this matter. Respondent agrees 100%. But once that power and authority reviews the totally deficient Complaint in this matter and dismisses it, the remainder of this Commission's statutory charge [to penalize those who wrongfully attempt to invoke this Commission's sanctions against a totally innocent group] will, it is believed, compel it to sanction Mr. Barnas, an all-too-frequent "complainer" in the several halls of our State government.

2. **The Complaint is legally insufficient, on its face.**

a. It is a relatively simple task to allege a legally sufficient complaint against an individual/group, charging that they have operated an unregistered Political Committee. For the purposes of this Response, the legal sufficiency would have been essentially satisfied if it could be shown that the individual/group had:

i. Expressly advocated the election or defeat of a candidate, or the passage or defeat of an issue on a public election ballot. [This first point is a simple matter of showing exactly where that express advocacy is found in the Record or elsewhere. This Commission has tens if not hundreds of consent or other final decrees where groups have openly stated "Vote for Jones," or "Vote against Proposition 6." It is painfully easy to allege and prove that a group has expressly advocated a candidate or an issue... when it is true.]

ii. Spent more than \$500 on expressly advocating that election or defeat, or that passage or defeat. [Note: it is not sufficient to suggest only that an individual/group has raised or spent more than \$500 on other activities; the money must be spent on the defined express advocacy. Florida Statute §106.011 clearly states the requirement in this fashion: a political committee is a group "that in an aggregate amount, in excess of \$500...[m]akes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." Again, it is not hard to allege a violation... if one has occurred. You show that the target group (1) expressly advocated for a candidate or an election issue, and then (2) similarly show that it spent in excess of \$500 on the express advocacy. As will be shown, the Complainant is 0 for 2 on these critical requirements.

iii. If points one and two are clearly and sufficiently shown to exist, THEN [if the group has at least two "members"] the provisions of Chapter 106 require a number of steps to be taken since the group could then be deemed a "Political Committee.". Sharon Yeago readily admits that neither she nor the Concerned Citizens for a Better High Springs group complied, or even attempted to comply, with these statutory requirements, because there was no reason to. Neither she nor the Concerned Citizens group is or was a political committee and the group never expressly advocated any action that would trigger the requirements of Chapter 106. The Respondent does not claim ignorance of the law; rather the Record before this Commission shows a scrupulous compliance with the law, a compliance that the Complainant, Mr. Barnas' own materials establish and which simultaneously prove the actionable misconduct of the Complainant, as that conduct is defined in Rules 2B-1.002 and 2B.1.0045 and Florida Statute §106.265.

b. The Complaint, at first blush, "appears" to make some general conclusory allegations that could conceivably lead to a legally actionable [or "sufficient"] complaint, if the supporting materials were at all consistent with the allegations and proved (1) express advocacy and (2) an expenditure of more than \$500 in that advocacy. For example, Mr. Barnas, the Complainant, states [under oath] in paragraph 3 of the Commission's form [Record-000001] that the

Concerned Citizens group was formed "specifically to oppose a ballot referendum." Similarly, on page 1 of the Complaint's narrative [R-000003] it is alleged that the group [the Concerned Citizens For a Better High Springs] was "organized to oppose a specific issue," and again on that same page it is alleged that the group was formed "to defeat the ballot issue" and now adds that the group was also formed to "support and support [sic] the election of Byran Williams and Scott Jamison." [Id.]

c. Again, on page 2 of the narrative, Mr. Barnas alleges that the group made "expenditures" for "the defeat of the ballot issue."

d. What is exceedingly odd about these allegations of the Complainant is that not one -- not a single one -- is coupled with any quoted materials of the Concerned Citizens group that actually DID expressly advocate the defeat of the ordinance or DID advocate the election of anyone, or the defeat of anyone.

e. There is no material issued by the Concerned Citizens group that the Complainant cites or quotes or refers to for either proposition...for one simple reason: the group never expressly advocated for or against the ballot charter amendment nor did it ever expressly advocate for or against any candidate. The Complainant asks the Commission or its staff to check out his materials. The Respondent agrees with THAT request in spades. Seldom has a group more

painstakingly documented its guiding principles and mission than did this group. It was loudly committed to a return to professional management and civility in High Springs, after a disastrous course of neither under the one year of control by the then majority [none of whom were on the ballot], including the Complainant.

f. The absence of any specific [or even general] statement being cited by the Complainant in his abortive effort to claim that the Concerned Citizens group was advocating any position in the election speaks volumes. The Complainant's charges are made up and imaginary. They have no basis in fact whatsoever, and the very materials he asks this Commission to look at prove conclusively that this group, pushing for a return to good government, refused to get into the gutter of local politics in High Springs as politics existed in the Fall of 2012, and avoided every single one of the negative and provably false charges that the Complainant asserts. The fact that the Complainant has the temerity to make these patently false allegations in the face of clear materials to the contrary -- that he attaches to his Complain -- proves the ill-motive and actionable intent of Mr. Barnas, under Rules 2B-1.002 and 2B-1.0045, and Florida Statute §106.265. This critical component of this Commission's responsibilities will be expanded on in the final portion of this Response and in the above described Petition that will be filed within 30 days following the dismissal of this Complaint.

g. The legal insufficiency of the Complaint is amply demonstrated by the fact that the documents that were actually written by and statements made by The Concerned Citizens for a Better High Springs uniformly avoid making any express advocacy for any candidate or any issue on the ballot. The Complainant clearly knew that this was the case (despite his sworn allegations to the contrary); two specific allegations demonstrate the ill will of the Complainant.

h. First, Mr. Barnas, the Complainant, makes reference to a sign that urged a no vote on the charter amendment. He claims (again, "under oath") that there were "two four ft x four ft" "Vote No" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places." No photograph of these signs is submitted and no other effort is made to link them to the group that the Respondent was a sometimes spokesman for other than to say (without definition) that they were "with CCFBHS disclaimers."

i. Attached to this response and discussed in greater detail in the next section of this response are the affidavits of the Respondent and of the individual who bought the signs and personally created them, without any assistance whatsoever from the Concerned Citizens group, without any support by it, and without any acceptance of the language by the Group. In short, because a citizen

urged fellow citizens to vote no, the Complainant has accused Ms. Yeago, under oath, of doing something that she [and the Concerned Citizen's group] had absolutely nothing to do with. The reason for these allegations, and the motivations for this unprincipled attack on her, will be clear.

j. The second point raised is a statement in the Complaint that a High Springs resident (Gene Levine) urged the citizens of High Springs to vote no on the charter amendment. It is claimed that Mr. Levine posted this on the Facebook page of the group (along with hundreds of other posts of all different sorts). Significantly, there is no allegation that Mr. Levine's statement itself claims to have been on behalf of the Concerned Citizens group (because it was not and Mr. Levine did not claim it to be), there is no allegation that the Concerned Citizens group agreed with this, advocated this, or joined Mr. Levine's opinions (because they did not in any form or fashion), and there is no argument why somehow a person whose Facebook page has something posted to it becomes an express advocate for each and every such statement. In fact the law in the United States is directly to the contrary. See Section 320 of the Communications Decency Act, 47 U.S.C. §230.

k. The Complaint, on its face, is absolutely devoid of any statement, whatsoever, made by The Concerned Citizens For a Better High Springs which in

anyway advocated the election or defeat of any candidate in the election or the passage or defeat of any issue on the November 2012 ballot in the City of High Springs. Mr. Barnas is a serial "complainer" before numerous boards, commissions, and associations in the State of Florida and apparently takes some joy or solace in serving as a Commissioner by means of a rule of threats and intimidation. This Commission, on the face of the Complaint, can easily and readily acknowledge and determine that the Complaint is legally insufficient and should be dismissed without further attention. The Concerned Citizens For a Better High Springs, and Ms. Yeago as its sometimes spokesperson, at no time was a Political Committee pursuant to Chapter 106 of the Florida Statutes and consequently had no obligation to comply with the various registration requirements contained in that Chapter for political committees.

1. The Complaint in this cause is an embarrassment and, in an appropriate petition following dismissal, it will be urged that this Commission sanction Mr. Barnas for bringing this matter before the Commission willfully, maliciously, and for improper motives, all of which subject him to the sanction of this Commission and to the payment of the attorneys' fees of the Respondent for preparing this response

3. The Concerned Citizens For a Better High Springs is not and never was a Political Committee.

a. As set forth in extensive detail above, the Complaint and the documents attached thereto conclusively establish that the representations made under oath by the Complainant that the Concerned Citizens group had taken a position on the ballot charter amendment issue are patently false and were known by the Complainant to be false when they were filed. The materials on their face demonstrate that the Concerned Citizens group clearly published their list of principles and mission statement and none of them addressed, directly or indirectly, either the issue of the charter amendment nor the or defeat of that matter, nor the election of any individual.

b. To supplement the materials submitted by the Complainant in this cause, affidavits have been submitted to this Commission of the Respondent, Sharon Yeago, and of three citizens of the City of High Springs, Thomas Hewlett, Ross Ambrose, and Ed MacKinnon.

c. Ms. Yeago's affidavit, as the Respondent before this Commission, reiterates in detail that which is clear from the attachments to the Complaint: the Concerned Citizens group had a highly defined and complex set of goals for the City, and none of them expressly advocated for or against an issue on the ballot.

Although the Complainant has attached many of the publications of the Concerned Citizens group (all of which are completely consistent), the very first publication which demonstrates in detail exactly why the group was formed has not been attached and that is now before this Commission in the record, attached to Ms. Yeago's affidavit as Exhibit A to that affidavit. The group was not formed to oppose a charter amendment provision, nor to advocate for or against any candidate. Those matters are simply not addressed whatsoever in the formative documents of this organization. All of these documents were publically circulated in the City of High Springs and the Complainant, Mr. Barnas had full and complete access to all of them and was fully familiar with them prior to the filing of this Complaint [which took place months after the election]. He willfully failed to take note of that which he knew and has misrepresented these critical facts to this Commission.

d. The issue of the two signs that were visible at the election polling places in the City of High Springs are a second and further example of the duplicity of the Complainant in this cause. There is a suggestion that the "vote no" sign at the polls had some sort of a "disclaimer" with respect to the Concerned Citizens group. Nothing could be further from the truth. The affidavit of Mr. Hewlett [Exhibit 2 to this Response] and the photographs attached thereto as Exhibits A and B] conclusively demonstrate that the sign urging voters to vote

against the charter amendment was that of Mr. Hewlett and his wife alone, without the consultation with, support from, or payment by the Concerned Citizens group. The sign (a photograph of the front and back of which are attached as Exhibits A and B to Mr. Hewlett's affidavit) contained absolutely no reference whatsoever to the Concerned Citizens group, which was fully and completely consistent with the fact that the sign was Mr. and Mrs. Hewlett's personal statement. Mr. Barnas' sworn statement to this Commission under oath, that this was in some way related to and contained a reference to the Concerned Citizens group is totally and completely false, and provably so.

e. Mr. Barnas' sworn misrepresentations to this Commission of the sign that the Hewletts prepared is made worse by the fact that on election day, Mr. Barnas himself prepared signs urging the voters in the City of High Springs to vote yes. Of course, Mr. Barnas had every right to do that and if he did it by himself, or did it with someone else and spent less than \$500 he would have been able to do so without running afoul of Chapter 106.

f. What in fact Mr. Barnas did, however, as reflected by the affidavit of Mr. Ed MacKinnon [Exhibit 3 to this Response], another citizen of High Springs, was to attempt to hijack the good name and good will of the Concerned Citizens group which had been established in High Springs prior to the election. Mr.

Barnas on his sign, claimed at the bottom (as shown by the blow-up attached to Mr. MacKinnon's affidavit as Exhibits A and B to his affidavit) that the sign was prepared by a "concerned citizen for a better High Springs". Clearly, Mr. Barnas was the only individual attempting to wrongly utilize the name of the Concerned Citizens group when he personally urged a vote for the charter amendment.

g To come before this Commission in a sworn document subject to the pain of perjury and statutory penalties and contend that it was the Concerned Citizens group that put its name on some sign is outrageous, provably false, and should not be condoned by this Commission.

h. The final affidavit [Exhibit 4] attached to this Response is by Ross Ambrose, another citizen of High Springs. His affidavit recounts the City Commission's complete failure to fulfill its statutory duties to inform the electorate of the meaning and purpose of the Charter Amendment. The public was completely uninformed by the City about what the majority of its Commissioners wanted to do to the Commission in the future. The citizens deserved to know what they were voting on.

4. The actions of the Complainant, Robert Barnas, were deliberate, malicious, without basis in law or fact, and contrary to this Commission's Rules and to the Florida Statute Chapter 106.

a. The motivation of the Complainant is legally irrelevant to the determination by this Commission that the Complaint he has filed in this cause is legally insufficient. As set forth in painstaking detail above and irrespective of the additional materials furnished by the Respondent in this cause, the Complaint and the record before this Commission on its face, conclusively demonstrates that the Concerned Citizens For a Better High Springs never, at anytime, in any way, through any medium, ever expressly advocated for or against any candidate or for or against any ballot issue. The materials attached conclusively establish that the Concerned Citizens group was scrupulous and law-abiding in its concern for good government. The group focused its attention on a number of good government issues other than those few that were actually on the ballot in November of 2012. The Complainant, for reasons that will become painfully clear to this Commission and its staff, chose to willfully ignore the very materials that he submitted to this Commission. Had he bothered to do look at them even cursorily, any person of average intelligence would clearly have seen that the Concerned Citizens group never expressly advocated anything regarding the November 2012 election.

b. Mr. Barnas cannot ultimately claim that he simply didn't "know" the law, and mistakenly made these false charges. In the very first paragraph of his complaint he urges this Commission and its staff to review one of its own cases, which he had researched "carefully" -- FEC Case No. 06-129, and suggested

[apparently] the similarity of that case to this one. That Consent Order, however, proves the willfulness of his actions here, because the group in that matter had published an advertisement that had expressly stated "Vote for Amendment Five" (a ballot issue on the statewide ballot at that time). If Mr. Barnas had bothered to read that decision closely and compare it to each and every piece of written material published by the Concerned Citizens For a Better High Springs, he should have recognized that the High Springs group was totally and completely within the law. Notwithstanding this fact, the Complainant publicly broadcast his plans for weeks to file this complaint against Ms. Yeago [a woman who works in the public sector and whose livelihood is built on her character and credibility], and announced to all when he finally did so. His actions are malevolent and willful and knowing and without any basis in the law. They cannot be condoned.

b. The additional points that the Complainant, Mr. Barnas, has attempted to use (the signs, etc.) to try and "demonstrate" that the Concerned Citizens group was somehow involved, have also boomeranged. A visual review of the signs shows that the only person in the City of High Springs who attempted to flaunt the law with respect to a political committee was Mr. Barnas himself, who deceptively masqueraded as this nonpartisan political group with his own sign, expressly advocating that the charter amendment be passed. See Exhibits 2 and 3.

b. As noted in the opening portions of this Response, and as will be more extensively described in the Petition that will be promptly filed within thirty (30) days of the dismissal of this Complaint, Mr. Barnas' actions were, candidly, those of a bully. He has acted before this Commission in direct violation of this Commission's rules and of Florida Statute 106.265. He has filed a Complaint which is, on its face, false, vindictive, malicious and actionable under Florida law. He knows the group has done nothing wrong, but his pattern, before this Commission and before several other commissions and associations in the state of Florida, is to shotgun complaints to as many organizations as possible in hopes that he will quell citizen resistance to his inappropriate tactics. It is precisely this form of incivility in small town government that stimulated the creation of the group that Mr. Barnas now attacks. The group's formation had nothing to do with candidates or election issues. It had everything to do with good government.

c. As noted above, Mr. Barnas does not always act quietly and in the shadows. Rather, he loves to publish selected materials and attacks on his website including the details concerning the many complaints (often confidential) that he files before the Florida Ethics Commission, this Commission, the Florida Bar Association, and anyone else who will accept complaints from an individual such as him.

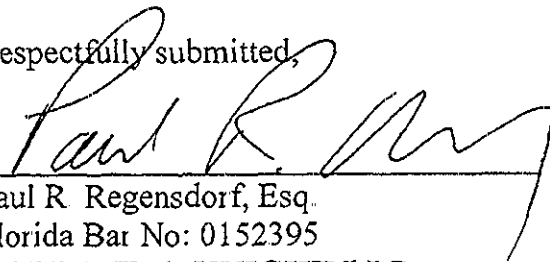
d. In the case of the Concerned Citizens For a Better High Springs, Mr. Barnas through his website long trumpeted the fact that he intended to file this spurious complaint against the group. (See attached composite Exhibit 5). In doing so, it can be seen that Mr. Barnas had ample time to study the statutes, to review the materials, and to educate himself concerning the falsity of the information and charges that he has now put forth to this organization. He chose not to do so. Rather, as reflected by Exhibit 5, Mr. Barnas actually went out and sought advice as to how to file the Complaint and, although wisely no attorney chose to represent him in this matter, Mr. Barnas' published actions demonstrate that he decide to make these false charges knowingly, willfully, maliciously, and in a very public manner, long prior to the actual filing of the Complaint in question.

e. When the Concerned Citizens group, through a different spokesman, made a public statement at a recent City Commission meeting in the City of High Springs on the issue of a need for civility in our City government (one of the group's founding goals) and the passage of a civility code (as is common in many cities throughout the State of Florida), Mr. Barnas in his view of the world gleefully published that he had now identified someone else who was brave enough to stand up and be a spokesperson for this group. Although not named as a respondent in his Complaint, he claimed that this proud public statement as basis for his now filing the Complaint in question. Despite the widely published steering

committee and the names of hundreds who supported the Mission of the group, Mr. Barnas went after the spokespeople.

f. It is respectfully suggested to this Commission and its staff that the conduct of the Complainant before this Commission (let alone the conduct of this same individual before numerous other organizations and bodies in the State of Florida) is in violation of Florida law and subject to the sanction of this body by way of penalty, attorneys' fees and such other relief as this body deems appropriate. Upon the dismissal of the charges before this Commission against Ms. Yeago, a subsequent Petition pursuant to Rule 1B-1 0045 and Florida Statute §106.265 will be made, formally requesting these payments and sanctions from and against Mr. Barnas.

Respectfully submitted,



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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
Case No. FEC 13-125

AFFIDAVIT OF RESPONDENT SHARON YEAGO

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the
within named Sharon Yeago who, after being duly sworn on oath stated as follows:

1. My name is Sharon Yeago and I have lived in the High Springs, Florida area for the last 14 years. My current residence address is 21120 NW 132 Lane, High Springs, Florida 32643.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct.

3. In the fall of 2012, a group of citizens in the High Springs area got together informally because they were very concerned about the unprofessional and partisan behavior of City elected officials and the detrimental effect it was having on City operations and staff morale. This informal group, which was a gathering of local residents, business owners and other concerned individuals, took on the name of Concerned Citizens for a Better High Springs. There was no formal organization of the group other than a steering committee that arose from the need to organize meetings, activities and record our concerns, mission and principles in writing. I functioned from time to time as a spokesperson for the group, and assisted in preparation of certain materials and in creating certain press releases concerning the mission and principles of this group.

4. The Concerned Citizens for a Better High Springs carefully crafted and documented its concerns as well as its mission and principles that it wished to work toward. The group at no time issued any statement nor made any other comment expressly advocating the election or defeat of any candidate to the City Commission, nor did it expressly advocate for the



approval of, nor against the passage of, the charter amendment that was on the ballot in November 2012.

5. The Complainant, Bob Barnas, is and was a High Springs City Commissioner at the time of our group's coming together in the Fall of 2012 and held the position of Vice Mayor. Mr Barnas was not running for election in November 2012 and, despite his primary role in the creation of a hostile atmosphere created by unprofessional and partisan behavior by members of the City Commission, neither his name nor any specific or general reference to him is found in any of the materials issued by The Concerned Citizens for a Better High Springs group.

6. A careful review of all of the materials prepared by Concerned Citizens for a Better High Springs, including each and every document attached to Mr. Barnas' complaint in this case, conclusively establishes, without any question of fact whatsoever, that Concerned Citizens for a Better High Springs group did not expressly advocate for or against any candidate, nor for or against any specific issue on the November 2012 ballot, nor was it formed to do either. The group was extremely careful to stay out of the immediate politics of the November 2012 election and so stated in all of its materials.

7. As established in the public records and a separate lawsuit brought by a resident of the City of High Springs concerning the ballot initiative, Mr. Barnas personally invested a great deal of personal and political energy to force the issue of a spending limitations onto the ballot despite the advice of the then-current City Attorney, the former City Attorney, and ultimately the current City Attorney of the City of High Springs. His precipitous actions were contrary to Florida law, had not been properly noticed, and were therefore void. The Complainant did not heed that advice from those individuals

8. Once that ballot initiative for the charter amendment was passed by the Commission (in contravention of the City Attorney's advice), the City was under a statutory obligation to present information to the electorate concerning the proposed amendment and what the amendment was supposed to do. Ballot summaries were to be placed at the polling stations and not one of these activities was performed by the complainant, then Vice Mayor, or by the City Commission.

9. The Complainant-sponsored charter amendment actually passed on the vote [in the absence of the statutorily-required explanation of its terms], but was preliminarily enjoined by the Circuit Court in the Eighth Circuit, Judge Griffis, and later struck as void ab initio when the new City Attorney ultimately acknowledged the fatal defects and confessed error concerning the actions of the then City Commission majority, including Vice Mayor Bob Barnas, the Complainant.

10. To partially fill this vacuum of public information regarding the issue, Concerned Citizens for a Better High Springs included some information in one release that was a factually accurate statement concerning what the ordinance did and how it was supposed to work. The proposed amendment, which was designed to provide a strict limitation on the power of city government to borrow money and conduct its business, was factually identified as such by Concerned Citizens for a Better High Springs. Such concerns never lead the group to expressly advocate either the passage or defeat of the ordinance. Quite to the contrary, material published by this group expressly told the citizens that the considerations of the effects on future government "should be carefully explored by the citizens before election day when considering this amendment." The voters were to decide what type of government they wanted.

11. A statement I made in an early press release concerning this group accurately sets forth what this group stood for.

We are a nonpolitical, nonpartisan organization [I explained] the group has already created a mission statement and guiding principles, which are all listed on the organization's Facebook page. The group's mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs reputation as a fair and open government that is inclusive, open and fair.

A copy of the group's original policy statement concerning the desire for good government is attached as exhibit A to this affidavit. As with each and every other statement from this group, it did not expressly advocate any candidate or election issue and the unsupported statements of the Complainant, contradicted by his own attached materials, do not change that reality.

12. The Concerned Citizens group at no time held any fundraising events. During one of our first meetings, we passed the hat to cover any potential costs of printing our information or a group banner for any public events we were able to attend [well under \$500.]. No bank account was established. At no time did we assist in the preparation of, or purchase, or commission or approve any documents, signs, or banners favoring or not favoring any candidate or the passage of the charter amendment in question. Because the November 2012 ballot was quite long --approximately four (4) pages for High Spring's voting districts -- and because the City of High Springs' election matters were on the very last page of this long ballot, at the end, the group purchased a full-page ad in the Alachua Today newspaper on the Thursday before the election to encourage voters to "Go All The Way" to the end of the ballot to vote on the High Springs candidates and charter amendment issue. This ad [included in the Record at R-000031-32] also set out our guiding principles, but does not in any manner whatsoever, speak for or

against any issue or individual on the ballot in November 2012. In addition to the full page ad, we issued a press release and handed out flyers at community events also encouraging voters to "Go All The Way" to the end of the long ballot. None of these materials, as reflected in this Commission's Record, expressly advocated any issue or candidate on the ballot. To suggest that they do, in the face of the materials themselves, is a deliberate attempt to mislead this Commission.

13. Mr. Barnas publishes a blog or website page frequently in which he "comments" on activities in the High Springs area. For weeks before he filed this complaint against me he announced publically his intention to file an Elections Commission complaint and proudly discussed the "advice" that he had obtained in the preparation of the very complaint that he filed before this Commission. He also bragged about filing the complaint after he filed it. [See attached exhibits]. Any individual who read the materials that he attached to this Complaint would see that there is not a single statement for or against any individual or any issue contained in any of the Concerned Citizens' materials and Mr. Barnas' complaint to this Commission can only be seen as an attack against me personally, unrelated to any imagined violation of Florida Statutes.

FURTHER AFFIANT SAYETH NOT.


Affiant's Signature

STATE OF FLORIDA

COUNTY OF ALACHUA :

The foregoing instrument was acknowledged this 7TH day of MAY, 2013, by SHARON YEAGO, who is personally known to me or who has produced _____ as identification.

Witness my hand and official seal, this 7th day of ^{MAY} ~~April~~, 2013.



[Handwritten signature of Richard Shallenberger]

Notary Public
Printed Name
of Notary RICHARD Shallenberger

Commission Expires: 10/26/13

Commission Number: DD 936404

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>.



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate; her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and -to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p.m., when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project.

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City.

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs.

Concerned Citizens for a Better High Springs is a nonpartisan nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosiqm3>

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF THOMAS HEWLETT

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the
within named Thomas Hewlett who, after being duly sworn on oath stated as follows:

1. My name is Thomas Hewlett and my residence is 315 SE 6th Lane, in the City of High Springs, Florida.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct

3. I was aware of the formation of a concerned citizens group in the City of High Springs in the Fall of 2012 because the tenor of City government in High Springs, led largely by the three person majority including the Vice Mayor, Robert Barnas, had become uncivil, unnecessarily contentious, and unacceptable. As a result of these realities in our City, a group of citizens formed an informal organization called the Concerned Citizens For a Better High Springs. I was not on the steering committee of that organization, but I attended several meetings and I am aware of the work that they did and the goals that they set.

4. The Concerned Citizens group developed a number of goals and policies that it wished to advocate, none of which was directly related to supporting the candidacy of any individual, the opposition to any candidate, nor the passage or opposition of any ballot issue on the November 2012 election. In fact, the Concerned Citizens group consciously avoided any such endorsement for or against any individual or any issue so that it could stay above the fray. The issues that the public statements and the newspaper advertisement by this group clearly



raised reflect that commitment to good government, but avoid any endorsement of or expressly advocating for or against any candidate or for or against any issue on the November 2012 ballot

5. On the November 2012 ballot in the City of High Springs was a charter amendment pushed significantly by the Vice Mayor, Robert Barnas, which was designed to severely limit the power of future city commissions to govern

6. Since the Concerned Citizens group took no public position whatsoever with respect to that charter amendment, and since the City Commission majority [including Vice-Mayor Barnas] distributed no information of any sort that explained the proposed amendment, my wife Linda and I decided as individual citizens that we would put up signage against the passage of that ordinance. Without any consultation with the Concerned Citizens group, and neither seeking nor obtaining the endorsement or help of any group in the City of High Springs, my wife and I paid a total of \$98.58 to obtain two commercially printed signs that urged the citizens of High Springs to vote "No" on the proposed charter amendment. The signs made no reference to the Concerned Citizens group whatsoever.

7. Photographs of the fronts and backs of these signs are attached hereto as Exhibits

8. The Concerned Citizens group was not aware of the preparation of these signs, they did not endorse the preparation of these signs, they did not contribute to the funding for these signs, and did not in any way suggest any design or format for these signs. My wife and I took this on ourselves as individual citizens in the City of High Springs. A copy of the payment that we made from our personal checking account is attached hereto as an Exhibit as well

9. As the election approached, another individual citizen in the City of High Springs brought a personal lawsuit against the City, challenging the method by which this charter amendment had been rammed through the City Commission, largely by Vice-Mayor Barnas.

Ultimately, the circuit court in Gainesville agreed with this citizen's personal challenge and found the ordinance to have been improperly enacted and void from the start. The court's preliminary injunction and final order are attached to this affidavit as additional exhibits. The final decision from the Court did not come until the City conceded defeat, after the election

10. On election day, my husband and I, with a friend, brought the signs that we had purchased to the two City polling places and put them up.

11. I still have one of the signs in question. These were our idea and we paid for them. My wife and I will further explain these circumstances to any governmental body in the State of Florida if it is necessary.

FURTHER AFFIANT SAYETH NO.

Thomas E. Hewlett
Affiant's Signature

STATE OF FLORIDA
COUNTY OF Alachua :

The foregoing instrument was acknowledged this 22 day of April, 2013, by Thomas E. Hewlett who is personally known to me or who has produced as identification

Witness my hand and official seal, this 22 day of April, 2013.



SHANNON HESTER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE063824
Expires 2/7/2015

Shannon Hester
Notary Public

Printed Name of Notary Shannon Hester

Commission Expires: 2/7/2015

Commission Number EE053824

06/10 - VI

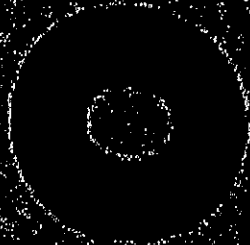
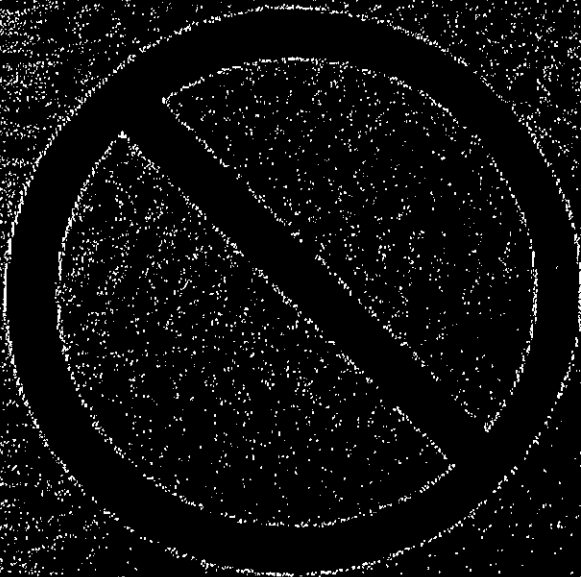


EXHIBIT
A

tabbler

Ex B

EXHIBIT

B

NUMBER

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ed MacKinnon, who being first duly sworn under oath, deposes and states:

When I went to the polls on November 6, 2012 I saw Vice Mayor Bob Barnas place a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. We recently put a full page ad in the local



Affidavit of Ed MacKinnon
Ambrose v City of High Springs
02-2012-CA-3385

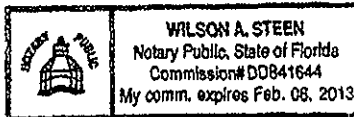
paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

FURTHER AFFIANT SAYETH NAUGHT.

J.G. MacKinnon
Ed MacKinnon

STATE OF FLORIDA COUNTY OF ALACHUA

Sworn to or affirmed and signed before me on
November 9, 2012 by
WILSON A. STEEN NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk.] Personally known Produced
identification. Type of identification produced
FLORIDA DRIVERS LICENSE



HIGH SPRINGS DISTRICT

NOTICE

YOUR CONTROL DEBT
NUMBER 5115 PAGE
OF 11

EXHIBIT
A

LABORATORY INVESTIGATION
CONTROL

Ex B

EXHIBIT
B

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ross Ambrose, who being first duly sworn under oath, deposes and states:

Ordinance 2012 -13 was not available to the public for review at the second reading (public hearing) on July 31, 2012. I was unable to obtain a copy of Ordinance 2012-13 when I filed my Complaint in August 2012. I directed my Counsel to obtain a copy of Ordinance 2012-13 to file with the Court. Despite repeated requests, my counsel was unable to obtain same. Her last attempt was on October 22, 2012.

I went to City Hall on October 23, 2012 and obtained an unsigned copy of Ordinance 2012-13. It was not until at least October 24, 2012 that the Ordinance was signed by the Mayor.

When I went to the polls on November 6, 2012 (Precinct 60, High Springs) I requested to review a copy of the proposed Charter Amendment (Ordinance 2012-



13) that was on the ballot. It was not available for me or any other citizens to review in its entirety. However, all of the State amendments were posted and available, as required by Florida statutes.

From the time the proposed Charter amendment was purportedly passed on July 31, 2012 through election day there was no education on the proposed Charter Amendment provided to citizens by the City. There were no town hall meetings; there were no mail-outs or pamphlets published that would educate the citizens as to how the proposed debt cap could or would affect them.

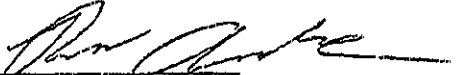
On election day, I saw a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. The group recently placed a full page ad in the

Affidavit of Ross Ambrose
Ambrose v. City of High Springs
01-2012-CA-3385

local paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

FURTHER AFFIANT SAYETH NAUGHT.


Ross Ambrose

STATE OF FLORIDA COUNTY OF Alachua

Sworn to or affirmed and signed before me on

11-9-12 by Jeannette B Banks NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk.] Personally known Produced
identification. Type of identification produced



Front Page Faith The Truth about Byrac
TRUTH JUSTICE AMERICAN WAY



BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA
BEWARE THAT THIS IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

COMMENT

is a group of people who are Concerned Citizens for a Better High Springs a Political Committee?
The definition is not that they support a candidate but even if it is a Issue
And the member of that group was an attorney, and should know the law is that a problem?

My records request to City of Alachua was not replied to. Imagine that. So based on something I read
by a certain attorney. I did my searching of the Alachua Commission meetings on line. Good news
they really have a good on line records service for the public, bad news is they really have a good on
line records service for the public.

Thanks Ms. Chapman for pointing my in the direction I never thought of looking at.

I made a phone call today to a State Agency. What they said was "thats not good"

"Please give us a day to research this."

A clue to my question would be in the on line email I sent to the Alachua city manager. If you have
access to it, then you may know where this is going.



Front Page Faith The Truth about Byron

TRUTH - JUSTICE - AMERICAN WAY



I reviewed the Kessler Audit. The amount of funds used for non CRA projects is now public record. Unlike the records of the Community Development Corporation or CDC of High Springs.

A public records request to them received a letter from Dot Harvey telling the CRA she does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

- UPDATES
- AMBROSE CASE THAT DOES NOT WANT A BETT HUNT GOES TO HEARING IN FRONT OF JUDGE OCT 27TH
- AND COMPLAINTS IN WORKS TO GO TO THE FLORIDA BAR
- NEW QUIZ HOW MANY BOKKARIS WORKING WITH ALACHUA AND THEIR CRA?
- SID FOR FIRE STATION APPROVED CONSTRUCTION SHOULD BREAK GROUND NOW
- RECORDS REQUEST WENT TO CITY OF ALACHUA ABOUT THEIR CRA APPOINTMENTS AND SPENDING WILL BE NEXT

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The definition is not that they support a candidate but even if it is a issue.

And if a member of that group was an attorney, and should know the law is that a problem?

Just food for thought.



Update



NEXT MEETING IS VALENTINES DAY EVENING..

Letter to Florida Bar went in the mail. 4-8-1(b)

Records request for 1999 arrest will be in my hands this week. Hope there's a mug shot.

Tomorrow, another lie.

Since Ed MacKinnon has been telling his story to many, I found another person who heard what he said. He seems to have found me guilty of something and is telling many. My attorney has asked for full information. We meet Wednesday.

Of course there are degrees of doing something people accuse you of. Just more lies. And Mr. MacKinnon is certainly accusing based on hearsay..more lies.

So has Ed forgotten? I certainly would not be a liar if I said Martha Hines in 1999 while an officer with the High Springs PD had Mr. George Edgar MacKinnon arrested for "distributing material harmful to minors". Had to post a \$500.00 bond.

Ed MacKinnon distributing harmful material to MINORS thru his video store? True?

So did he really distribute material harmful to minors? Maybe he should tell everyone.

PAC complaint paperwork going in the mail tomorrow. Naming two local players. Remember a PAC is two or more spending more than \$500 on political issues.

And Friday I should have the "Easy Math" commissioner document in the mail to Election Commission.

bobbarнас.com



**NEXT MEETING
IS VALENTINES
DAY EVENING..**

And friends post
says if best:

I first put this website out to deal with liars and bad information. I then strayed. I tried to use it to focus on positive issues. And let the liars be. I stopped filing ethic and election commission complaints and did not file the additional pages to a Florida Bar investigation.

Something happened today to get me back on track. The liars have returned and said something completely untrue, to the wrong person. You see if the witch was to tell a lie to a bad attorney, then it doesn't go outside the circle. It stays within the cult. The inner circle of CC.

But tonight an ORC slipped up. He said something to an outsider that got back to me. That outsider told me, I told my attorney and my attorney got the names. That person will tell the truth about what was said to my attorney.. And the person that made the statement's has now back peddled. But if he says that to the outsider, then doesn't that confirm the liar is even a bigger liar.

So for the next several days this website will not have anymore posts. I am working on my paperwork about a PAC to the Florida Election Commission. And I am working on my paperwork about "the easy math candidate" and his flyer without a disclaimer. And I will have another letter going to the Florida Bar tomorrow. Ask Larry how that \$400.00 fine worked for him.

And finally, I will meet with my attorney on Friday. Not because I want to, but because the "no balls liar", told me this...

"Bring it on"...

So if this "bring it on" individual wants the truth, Friday is 3 days away. Bring me the proof and ask me to my face. Man or worm?

Oh, and if you want to join me cleaning Main Street sidewalks and gutters, I will be out there cleaning at around 6AM Wednesday.

Front Page Faith The Truth about Byran Documents Guest Comment

TRUTH - JUSTICE - AMERICAN WAY



YOUR SEWER RATE "\$69.45" - "IT'S EASY MATH"
THIS IS JUST ONE OF THE PROMISES MADE BY
BYRAN WILLIAMS AS I READ IT IN THE PAPER.
SEEMS BYRAN WILLIAMS IS MAKING PROMISES TO MANY. PROMISES TO SOME
WHO ARE GETTING WORD TO ME ON WHAT HE IS PROMISING.
DOES THE CRONYISM WORD GET BROUGHT BACK AGAIN?

UPDATES

POE SPRINGS HAS INTERESTING
SUPPORTER. WILL POST SOON.

LIST OF DONATION TO BYRAN IS
IMPRESSIVE.

DEFINE NEPOTISM?
RECEIVED CERTIFIED LETTER
THAT STATE AGENCY IS
LOOKING AT A COMPLAINT.

LARRY TRAVIS ELECTION
COMMISSION HEARING FOR
VIOLATION IS NOV. 15TH 9AM.

HAVE A TRIP TO TALLAHASSEE
COMING UP. MEETING WITH TOP
OFFICIAL TO TALK ABOUT.....

NEW PAGE
ADDED.
GUEST COMMENT

For a little milder side
of goings on in High
Springs try reading
"friends post"
[\(click here\)](#)

**HIGH SPRINGS DEBT LIMIT
VOTE YES
YOU CONTROL DEBT
AMENDMENT 1 on LAST PAGE**

Advertisement paid for by Citizen Concerned for a Better High Springs

**SWEARING IN OF NEW
FLORIDA ATTORNEYS.
THEIR OATH AND
FLORIDA BAR ETHICS
AS IT MAY RELATE TO
A LOCAL TOPIC.
(click here)
LAWYERS OATH**

Judge Griffin ruled on the lawsuit brought by High Springs resident Ross Ambrose and his Alachua attorney Linda Chapman.
As I see it there are 3 winners in this Vexatious litigation.

1. The city was found to have made emergency meeting and notices properly.
2. There is a question as to the change from \$1,000,000 to \$2,000,000 as made in the lawsuit is in question.
3. But the most important winner is the voter. The Amendment will still be on the ballot. The voter will have a chance to make a difference in the final decision with their vote.

Your vote of YES will be considered when this continues after the election.

In this Ambrose case the Judge said "the claims for relief on Section 286.011 are dismissed with prejudice"
So in a court case that is dismissed "with prejudice" it means that it is dismissed permanently. No redo on this part.
Meaning that the cockamamle limitation is still on the ballot, and money Ambrose was looking to pocket is off the table.

[Front Page](#) [Faith](#) [The Truth about Byran](#) [Documents](#) [Guest Comments](#)

THE VOTE ON TUESDAY PROBLEM

All reports from the 3 candidates have a problem

This is the documents page And the documents submitted, printed and displayed by all candidates have problems

Click on the links below to see the problems As of today I hear all have been corrected
Well not all yet

As a side note, I received my Notice of Hearing in front of the Florida Election Commission concerning a hearing for the election code violation of taking \$200 cash donation by Larry "potty mouth" Travis Will he be found in violation or will he be released from a violation or will he accept a negotiated agreement? November 15, 2012 9AM
I will post the notice for all to read Maybe he can take a fan bus of supporters there?

Got another certified letter in the mail today as well PERSONAL AND CONFIDENTIAL from the Florida Ethics Commission confirming they received some documents

I also received a document that shows the motion for the PIGG house was made by Byran Williams and Depeter made the statement he did not see any financial downside

Seems Ms Martha doesn't know the truth Oh, got some interesting Ms Martha stuff thrown my way as well To disclose this might be over the top Really is not good Really

Florida Statute 106 07(2)(a)2(b)1 Any report that is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section Failure to file a complete report after such notice constitutes a violation of this chapter

[Jamson September Campaign Report](#)

[Williams September Campaign Report 1](#)

[Williams September Campaign Report 2](#)

[Williams October Campaign Report](#)

Front Page Faith The Truth about Byron

TRUTH - JUSTICE - AMERICAN WAY



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A public records request to them received a letter from Dot Harvey telling the CRA she does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA. BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

More Commission news is we reopened the road behind city hall. Well not all of us. Jamison wants a fence. No, really he said that. I guess he's never been to the park and seen that there was never a fence there. I have a new name for him, ANTI-MAN. So here is how you deal with that. When you want something, you vote the opposite and he will then vote against me. I think we need to require an IQ test for all commissioners. I have been listening to audio of meetings and the level of misunderstanding of the sewer bond, funding, rates and debt is unbelievable. You can't make this stuff up.

UPDATES

AMBROSE CASE (HARD DOES NOT WANT A DEBT MIT GOES TO HEARING IN FRONT OF JUDGE OCT 28TH

WRD COMPLAINS IN WORKS TO GO TO THE FLORIDA BAR

NEW QUIZ HOW MANY EQUIMAN'S WORKING WITH ALACHUA AND THEIR CRAT

RD FOR FIRE STATION APPROVED CONSTRUCTION SHOULD BREAK GROUND NOW

RECORDS REQUEST WENT TO CITY OF ALACHUA ABOUT THEIR CRT APPOINTMENTS AND RECORDS WILL BE NEXT

Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



clip from Eric Mays blog remember when he wrote this and more about
Byran Williams and more

Campaign Finance Reports High Springs Blog highspringsblog.com/2010/10/05/campaign-o-
ctober-2010 - It should be noted that based on his own campaign reports, Byron has illegally accepted
three cash donations in excess of the legal limit

And on 3/17/2011 Eric Mays called out Weller and Williams for their lack of understand of media.
Called the story "The Nanny City"

And remember when this happened and he massaged the budget. His blog said this.

After hours of discussion surrounding employee insurance rates and health plans, the commission
went back on a decision to restore two public works positions in favor of eliminating a police
position. Commissioner John Hill, who said he had a change of heart, even went on to say it was with
a "bleeding heart" that he had to make this decision.

He joined myself and Commissioner Travis in voting to eliminate the public works Facilities
Maintenance Worker (Janitorial Position) and Service Worker I (streets) and putting in its place the
(anforia) contract service and a seasonal Service Worker.

Remember when Commission Mays referred to the church people in attendance. He made some
reference to reacting to a MOB RULE if he listened to them.

The other stand of Eric Mays at the Womens Forum when he ran was his stance on how bad the Pigg
House purchase was. Is he now saying it wasn't a mistake. Flip flop again?

How soon we forget what we said in public, and must eat your own words.

A review of the Keener Audit. The amount of funds used for non-CRA projects is now public record.
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You can't make this stuff up.

Front Page Faith The Truth about Byran Photos

TRUTH - JUSTICE - AMERICAN WAY



Quotes of the day from Larry Travis to Bob Barnas at the Ground Breaking for the Fire Station. "Your an Asshole" and "at least I have friends." Really Larry, how many did you have last election? 289. I had 471.

Witnessed by many to smiles from the Concerned Citizens for a Better High Springs. This is what comes out of his mouth. The Coach: Never had any class, never will. Join us at the hearing in front of the Election Commission in November.

Two Haunted Houses going on in town. One on #41 at Tattoo Shop and one at the Lions Club. Admission for both locations.

Next Week
Meeting on Wednesday to talk about water and sewer rates.

WOMANS CLUB FORUM FULL LENGTH SHOW. SEE THE REAL BYRAN WILLIAMS. And check to cops out on the Byran Williams flyer that is on the photo page. Complaint worthy?

Paperwork went in the mail to a State Agency today. I am researching statute to see if I can legally disclose what it was. Campaign donation issue came up on Eric May blog. Apparently he took his story on the violation by Byran Williams two years ago (September 2010) and Larry Travis out of his achieves. But I have the paperwork. And Larry Travis hearing in front of Election Board is in November. Go coach.

Had a conversation with Eric May today. Had his guru tape recorder going. He kept going at the word cronyism. Now lets see if he can research nepotism? How many brothers does it take to run a city? And collegial body.

UPDATES

WAITING FOR THE RULING ON CARROSA CASE TO STOP DEBT REPAYMENT.

OLIVE BRANCH IDEA NOT WORKING. OK LET SEE WHERE THIS GOES.

ZUMBA NEEDS A HONORARY ZUMBA. HEARD ED MCKINNON HAS OFFERED HIS VACANT MEETING ROOM. THE SA VICE WIFE. SUPER NICE DE HOY TO DO SO.

Front Page Faith Cell Towers

Meeting update and more



It is Easter. Resurrection of Jesus Christ. And much can be learned about this if you only took the time to understand and believe. It is time for a resurrection of High Springs.

The liars have not learned, the traitors will continue to betray; the wicked will continue to cast their spells and the unbelievers will never learn.

I feel a turning of the tide. The newspapers need to rethink what they write. Truths must be told do the right thing, and they just might survive. If not, I feel there will be a understanding that much that has been written was false and misleading. Many are turning away from the press and I believe one will die and not be resurrected.

I sense a shift in the force. Some Commissioners may now be understanding the lack of professionalism in the city. was not just that of the city manager fiasco that I was part of, it goes back farther and still infects us. Communication and records issues continue.

With lawsuits and revealing records, much more is now coming to light. The truth is coming out..

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars.....I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show. The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork dated April 1st, (for a reason) will go in the mail.



all pages updated 4/2/2013 8AM
Freind Post posts a letter. A step in setting the record straight.

READ THE TRUTH

More truth about the fine Larry Travis received. Want to read it.

Front Page Faith The Truth about Bryan Documents

TRUTH - JUSTICE - AMERICAN WAY



I was looking at the High Springs Blog, the Ozean site and Alachuaonline and the similarities are interesting. Spoke to LN tonight, and had interesting exchange.

Who drive the smurf blue vehicle and throws the bird or middle digit finger when you drive by? Here's a clue, DF. Got the license number so I need to confirm some information. Will get back on this one. could be good.

TONIGHTS MEETING HAD AN INTERESTING COMMENT FROM DEPETER. HE WAS WONDERING WHERE THE \$69 FIGURE ON SEWER CAME FROM, WHICH MADE ME WONDER WHERE BRYAN WILLIAMS GOT HIS NUMBERS FROM. TO BLURT OUT THE \$69.45 AT THE WOMANS CLUB FORUM, SINCE HE DIDNT MAKE IT TO TONIGHTS MEETING, MAYBE HE CAN TELL US AT THE NOVEMBER 8TH MEETING. EXPLAIN THE "\$69.45" - "IT'S EASY MATH"

- UPDATES
- HIGH SPRINGS WAS INTERESTING SUPPORTER. WILL POST SOON
- LIST OF DONATION TO BRYAN IS IMPRESSIVE
- DEFINE NEPOTISM?
- MAYBE TRIP TO ALACHUA BEEES COMING IN MEETING WITH TOP OFFICIAL TO TALK ABOUT IT
- GODIA MAKE A MOTION TO RENAME JAMES PAULS PARK. PLEASE VOTE IN TREE PARK NOW

HIGH SPRINGS DEBT LIMIT
VOTE YES
YOU CONTROL DEBT
AMENDMENT 1 on LAST PAGE
 THIS WOULD PUT FUTURE DEBT CONTROL WITH VOTERS

EXHIBIT "C"



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

June 10, 2013

The Honorable Robert J. Barnas
20147 NW 257th Terrace
High Springs, Florida 32643

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Barnas:

The Florida Elections Commission has received your complaint alleging violations of Florida's election laws. I have reviewed your complaint and find it to be legally insufficient.

In your complaint, you essentially allege that Respondent's organization, Concerned Citizens for a Better High Springs, is a political committee, and that Respondent should have registered it, appointed a treasurer and a registered agent, and filed reports disclosing the group's expenditures. I find this complaint to be legally insufficient because you did not provide sufficient evidence that Concerned Citizens for a Better High Springs is a "political committee" as the term is defined by Section 106.011(1)(a), Florida Statutes.

In order to meet the definition of a "political committee," a group must make expenditures in excess of \$500 "that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." There is no cost to create a Facebook page or to post information to a Facebook page, so the Facebook postings referenced in the complaint do not represent expenditures. In addition, the flier and the newspaper advertisement included with the complaint do not use words of express advocacy such as "vote for..." "vote against..." or "elect..." with respect to a particular candidate or issue and, as such, they are not "political advertisements" or expenditures that otherwise render the group a political committee.

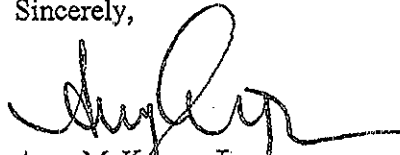
Because Concerned Citizens for a Better High Springs is not a "political committee" as that term is defined in Ch. 106, Florida Statutes, it was not required to register, appoint a treasurer or registered agent, or file disclosure reports. The group also does not meet the definition of an "electioneering communications organization" because the exhibits provided with the complaint are not "electioneering communications." (See Sections 106.011(18) and (19), Florida Statutes.) As such, this complaint is legally insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If the additional information corrects the stated ground(s) of insufficiency, I will notify both you and the Respondent. If you submit an additional statement containing facts, you must sign the statement and have your signature notarized. In addition, any additional facts you submit to the Commission must be based on either personal information or information other than hearsay.

Until this case is closed, section 106.25(7), Florida Statutes, provides that the Respondent may not disclose this letter, the complaint, or any document related to this case, unless he or she waives confidentiality in writing. To waive confidentiality, the Respondent must mail or fax a written waiver of confidentiality to Donna Ann Malphurs at the address or fax number listed above.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Amy McKeever Toman
Executive Director

AMI/dam

cc: Paul R. Regensdorf, Attorney for Respondent, w/out complaint

EXHIBIT "D"



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

June 28, 2013

Paul Regensdorf, Esquire
Holland & Knight
50 North Laura Street
Jacksonville, FL 32202

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Regensdorf:

On June 10, 2013, the Florida Elections Commission notified Robert J. Barnas that the complaint he filed on April 3, 2013 was legally insufficient. Since the Commission did not receive any additional information that corrected the stated grounds of insufficiency, the case has been closed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy McKeever Toman".

Amy McKeever Toman
Executive Director

AMT/dam

cc: Robert J. Barnas, Complainant

RECEIVED JUL 02 2013

EXHIBIT "E"

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF RESPONDENT SHARON YEAGO

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Sharon L. Yeago who, after being duly sworn on oath stated as follows:

1. My name is Sharon Yeago and I have lived in the High Springs, Florida area for the last fourteen years. My current residence address is 21120 Northwest 132 Lane, High Springs, Florida 32643.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct.

3. I am the Respondent in case number 13-125 before the Florida Elections Commission, in which the complainant, Robert Barnas, alleged that I, and the group that I and hundreds of citizens are a part of - Concerned Citizens for a Better High Springs - in some way violated the Florida Election Code by expressly advocating either for or against an issue, or for or against a candidate on the November 2012 ballot in the City of High Springs.

4. For the last thirteen years, my principal occupation has been that of a consultant, grant writer, program manager and educator in supporting Florida farmers and farmers markets and in providing healthier more local food products to low income Florida residents.

5. As such, my work brings me in contact with government and quasi-government agencies from the federal level to the county and municipal level. I have worked, on a nonpartisan basis, with and for such organizations as national nonprofits and federal agencies, regional health planning councils, county departments of health, municipalities, community redevelopment agencies, the University of Florida, Institute of Food and Agricultural Sciences,

as well as the City of High Springs. In 2000, the then-elected High Springs City Commission asked me to develop and manage a community farmers market which opened in March 2001 and which I successfully managed for the City of High Springs until 2008. Further, in 2006 I wrote a grant, on behalf of the City, which was funded to create the High Springs Food Security Project which provided access to healthy locally grown food to those low income citizens on SNAP (Supplemental Nutrition Assistance Program), formerly known as Food Stamps. This was the first program of its kind in Florida. My work with the City of High Springs brought positive publicity and visitors to the City on a regular basis and I enjoyed a positive working relationship with city staff and commissioners.

6. In those various capacities, my reputation and carefully developed relationships with the many public, private and governmental organizations with whom I work is critical to my career and such an investigation on allegations as described by Mr. Barnas, even though false, had the potential, even slightly, to damage my professional reputation.

7. I have known Mr. Barnas for a number of years, and he both knows me personally, and is well-acquainted with my business and profession as above-described, including my work with the High Springs Farmers Market.

8. When I first received notice that I had been singled out by Mr. Barnas as the target of his Florida Elections Commission Complaint, I was stunned as well as concerned as to what such a complaint with a State Elections Commission might do to my professional reputation.

9. When I carefully reviewed Mr. Barnas' Complaint and the many attachments which purported to support his allegations, I became personally confident that any fair review of his Complaint would come to the immediate conclusion that there was absolutely no factual or

legal basis for his charges as I had taken absolutely no position, let alone "express advocacy" with respect to any issue on the November 2012 ballot, or with respect to the election of any position on the November 2012 ballot. I, and other members of the Concerned Citizens for a Better High Springs, had been exceedingly careful not to do so. The legitimate concerns that the Concerned Citizens group and hundreds of residents in High Springs had expressed in the thoughtful guiding principles and Mission Statement delineated in my Response to Mr. Barnas' complaint conclusively establish that Mr. Barnas' unsupported -- and unsupportable -- charges on violations of the Election Code were false and were easily known by him to have been categorically false. I believe that his motive was malicious, vindictive, reckless and actionable under the Election Code, Florida Statute §106.265(6) and this Commission's Rules.

10. Nevertheless, as a layperson in these matters and to ensure that my professional reputation would be protected at the highest level, I retained the highly-reputable law firm of Holland & Knight, through its Partner, Paul Regensdorf, Esquire, for the purpose of ensuring that this frivolous Complaint was handled in the most efficient and effective manner by filing a detailed Response to the Complaint to ensure my professional credibility was not impaired.

11. I was informed before filing my Response to the Complaint that there is a provision in Florida law which allows an individual in a position such as myself to seek attorneys' fees back against a complainant if the complaint is without merit, false, malicious, and clearly and convincingly without any justiciable issue of law or fact, which I believe clearly describes this current action.

12. Mr. Barnas' Complaint, along with its many attachments, has now been properly found by the Commission to be just that -- legally insufficient. I have directed my counsel to prepare, pursuant to Rule 2B-1.0045 of this Commission's rules, a Petition for Attorneys' Fees to

be submitted in accordance with Rule 2B-1.0045 and Florida Statute §106.265(6) to recover such reasonable attorneys' fees and costs as this Commission and/or the Division of Administrative Hearings shall assess as a reasonable amount for fees and costs.

13. Prior to authorizing and directing the filing of this Petition, I discussed with members of the Steering Committee of the Concerned Citizens for a Better High Springs specifically two of the four Guiding Principles which in fact motivated the formation of this Concerned Citizens group. Those principles are:

Principle Three: There must be a commitment to restore civility and fairness to the manner in which city government is conducted and to the manner in which its elected officials interact with city staff and with residents.

Principle Four: There must be a commitment to restore the reputation of High Springs city government as responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the city's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

14. I do not believe that this Petition gives even the slightest hint or suggestion that the filing of this Petition is in any way akin to the frivolous and legally insufficient Complaint filed by Mr. Barnas in this matter. Upon deep reflection, however, it was recognized that Mr. Barnas, who proudly proclaims that he is currently (and was at relevant times hereto the Vice Mayor) an elected City Commissioner of the City of High Springs, has chosen to file a number of complaints against citizens and public officials in the High Springs area, usually without any basis whatsoever and usually dismissed as being legally insufficient. I have not gone out of my way to file any sort of offensive complaint against Mr. Barnas for the improprieties of his reflected in his Complaint before this Commission nor initiated in any way any investigation into the legality of his conduct by virtue of the fact that he filed a Sworn Complaint, under penalty of perjury, that was knowingly false and known by him to be false. Indeed, the very complaint

form submitted by Mr. Barnas, sworn and notarized, contains the black-box legend just below the notarial, "*Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.-82 and 775.083, Florida Statutes.*"

15. However, this Commission by its own rules and the Florida Legislature by its statutes have specifically directed that when a false and reckless complaint is filed and is found to be wholly wanting, legally insufficient, and without basis in the law or fact, such as Mr. Barnas', it is for this Commission and under certain circumstances, the Division of Administrative Hearings, to determine whether fees and costs should be assessed against the Complainant.

THEREFORE, I respectfully request that this Commission consider the Petition to which this Affidavit is attached, perform the legal obligations imposed upon this Commission by the Legislature of the State of Florida, and take such action with respect to the Petition for Attorneys' Fees as the Commission feels is just and appropriate in accordance with the laws of the State of Florida and the Rules of this Commission.

FURTHER AFFIANT SAYETH NOT.


Affiant's Signature

STATE OF FLORIDA
COUNTY OF ALACHUA :

The foregoing instrument was acknowledged this 9th day of July, 2013, by Sharon Yeago, who is personally known to me or who has produced FLORIDA D.L. as identification.

Witness my hand and official seal, this 9 day of July, 2013.



Marilyn Vanover
Notary Public
Printed Name
of Notary MARILYN VANOVER

Commission Expires: 4-29-14

Commission Number: DD 967079

EXHIBIT "F"

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

September 30, 2012

MEDIA CONTACT:

Sharon Yeago
386-418-8017 phone
352-256-8115 cell
Sharon@yeago.net

CITIZEN GROUP GAINS MOMENTUM IN SUPPORT OF GOOD POLICY FOR HIGH SPRINGS

HIGH SPRINGS, FL – A High Springs citizen group is gaining momentum in its effort to effect good policy decisions by local government. **Concerned Citizens for a Better High Springs**, a newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials.

In the first 48 hours since announcing its Mission and Guiding Principles through email and Facebook, more than 50 local residents, businesses and others invested in the City of High Springs have signed on to support the group's mission and key principles that provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs' reputation as a fair and open government that is inclusive, open and fair.

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters can be requested by email at hscitizens@gmail.com

High Springs resident **John P. Manley, III** states as the reason for the group's formation, "This group of citizens came together out of a deep concern for the City of High Springs. The City is at a crossroads. The constant infighting and bickering and dissention between factions, representing divergent views of the role and vision for the City, is destroying any forward progress for the City; and, conversely, is actually pushing the City backwards to the point that the City will no longer be a viable, functioning seat of government. We feel it is important to put any history aside, and build a broader, more encompassing plan for the future of High Springs that the majority of the Citizens can get behind and work to make happen."

The group's mission statement reads, "**Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future.**"

The group developed four **Guiding Principles** that it is using to educate the community:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>

##

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People..... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>.

Stefi Hulin Affron
Ross Ambrose
Shari Asbury
Jeannette Banks
Penny Banks
Roger G Beck, DPM
Susan J. Beck
Marilyn Bennett
Karen Bentz
Stacey Breheny
Sharon Britton
Jay Bromenschenkel
John Caldwell
Thomas G Clarich
Dawn Lange Drumm
Ronald DuPont, Jr.
Enchanted Memories
Flying Fish
Grady House Bed & Breakfast
Laura Graetz
Randy Graetz

Patricia Grunder
Linda Hewlett
Tom Hewlett
Linda Jones
Sharon Kantor
Barbara Kowats
Arlene Dorin Levine
Gene Levine
Nancy Linkous
Tim Linkous
John P Manley III
Cindy MacKinnon
Ed MacKinnon
Karen Clarich Matheny
Sanford Matheny
Dr Tony Matheny
Robert McClellan
Thomas McDonald
Barbara Martin
Herb Matilsky
Barbara G Miller

Donna Mogler
Henry Mogler
Genie O'Brien
Pampered Pets
Andy Phillips
Christian Popoli
Lucie Regensdorf
Paul Regensdorf
Maggie Riggall
Sanna Saare
Dorsey Travis
Larry Travis
Damon Watson, Pro Realty of
Gainesville, Inc
Mike Williamson
Charlette Wilson
Sonja Moore Wilson
Jim Wood
Sally Wood
Sharon Yeago

EXHIBIT "G"

Front Page Faith Funny Facts

POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/8/2013 7:00PM



THE NEWS IN PRINT IN HIGH SPRINGS

For sometime I have been critical of the local monthly or weekly Tabloids and Talk radio. The false information printed and the hypocritical OK if we do it, but not OK if you do it radio.

The last few editions of the Observer had Eric May report as a guest. It seems he is missing in this issue. Maybe he is busy working over at Ozean in Alachua getting the Talk of the Town radio station up and running with an on line version, after it was booted of the air at 99.5.

Seems Ward Scott didn't like the change that was coming and once again let his mouth fire first before his brain.

I have pictures of piles of Observers and the Alachua Todays just sitting all over town.. No one reading or buying them. Wonder why? Has the public finally discovered that most that has been written in the past on politics was junk, biased and generally poor reporting, and hurtful to High Springs? So why read it, or advertise in it?

When Dean Davis was accused, both Tabloids had no problem printing hundreds of words how Dean was accused falsely of things. They both used his name repeatedly along with mine and Linda Gestrin.

Well this June edition of the Observer on page 5 had a tiny paragraph that stated Dean Davis has been cleared now and in the past of any wrong doing. Stuck inside not on the cover. And of course no name of who filed it. I understand the Observer owner "worked" for Ron Langman (husband of the terminated city manager Jeri Langman) at one point. His name was plainly not mentioned as THE person who had Alachua attorney Linda Rice Chapman file the Florida Ethics complaint for him. Why not? Or at least that is what was said to have happened.....

The question is did the Observer owner OMIT facts cause someone told her to? Was she a puppet? Or was it just cause she had full control and power of what to print and who to rip or not rip?

The Alachua Today reported nothing on Dean Davis being cleared.

The Alachua Today has less good news and since politics is quiet, no one reading that thing either. Only thing keeping that rag alive is ads from the City of Alachua and the national chain and local grocery insert. Its on line edition is a mess. And virtually dead.

**The people who use to read the Observer, the Alachua Today and listened to Talk radio, are now seeing the truth that the paper's ONLY mission was to disgrace and embarrass SELECT commissioners.
As was the mission of that Talk radio show.**

**If all remains the same, we will never see the truth printed in these tabloid.
And the online version of Talk will continue its hypocrisy...**

Now for one more paper.

The Gainesville Sun is now CHARGING to read its on line edition. Wonder if anyone is paying up?

As new social media is being born daily, the old radio and news print is dying. And new technology must be done right not half ass.

Adapt or die...

But to adapt would take smarts and/or talent...

So what is left?

This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King.
This website is copyright protected Copyright © bobarnas.com 2012-2013 All Rights Reserved No part of this website may be reproduced without express consent of Bob Barnas.

EXHIBIT "H"

Front Page Faith Funny Facts

POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/12/2013 7:00PM



A comment on Florida Statute

When an attorney and a Plaintiff are offered a pile of money to end a lawsuit and they just file more complaints, is there ever an end in sight?

Well there is a Florida Statute 112.3187 (9)d. that says:

(d) Payment of reasonable costs, including attorney's fees, to a substantially prevailing employee, or to the prevailing employer if the employee filed a frivolous action in bad faith.

So what happens if a judge or jury rules a lawsuit is frivolous?
I think this has happened in the past in a civil case I read.
An attorney in 2002 was ordered to pay \$11,030.36 to a Defendant.

This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King. .
This website is copyright protected Copyright © bobbarnas.com 2012-2013 All Rights Reserved No part of this website may be reproduced without express consent of Bob Barnas



Re: FEC 13-125 - Submission of Additional Documentation at the 11/13/13 Hearing
Bob Barnas
to:
Donna Malphurs
10/29/2013 04:39 PM
Show Details

3 Attachments



graycol.gif CCF10292013_00000.pdf CCF10292013_00001.pdf

Donna,

Attached please find a letter and documents for the Commission Please let me know you received all

Case 13-125

Bob Barnas

On Tue, Oct 29, 2013 at 9:34 AM, Donna Malphurs <Donna.Malphurs@myfloridalegal.com> wrote:

Dear Mr Barnas,

This email summarizes our telephone conversation this morning and confirms that you are **not** requesting a continuance in this matter. If I have misunderstood, please advise me immediately.

Please keep in mind that any additional documentation submitted in this matter will be offered to the Commissioners the morning of the hearing, and such documents will be reviewed at their discretion.

If you have any additional questions, please let me know.

Donna Ann Malphurs, Agency Clerk
Florida Elections Commission
[850-922-4539 x 102](tel:850-922-4539)

Bob Barnas ---10/29/2013 02:12:19 AM---Ms. Malphurs, In reviewing the attachments for my case I have a problem.

From: Bob Barnas <bbarnas@highsprings.us>
To: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
Date: 10/29/2013 02:12 AM
Subject: Re: 13-125

Yeago 5

Ms Malphurs,

In reviewing the attachments for my case I have a problem

- 1) I received a letter dated June 10, 2013 finding my complaint legally insufficient
- 2) Received a letter dated June 28, 2013 that the case was closed.

Other than those two letters, I received nothing from the FEC.

In looking at your attachments there are numerous documents from the Respondent, her attorney and affidavits that I have never seen until Oct 28, 2013

Allegations on the case itself, and a motion for Attorney fees I have never seen. I would have expected that when these case documents were given to the FEC, I should have been provided copies. Not to mention the additional motion.

Then on Oct 28, 2013 I received a letter telling me of a NOTICE OF HEARING (MOTION FOR ATTORNEYS FEES) That notice may have also had a typo concerning a date for continuance

So in short, I had no idea this case had a reply from the Respondents attorney, and a Motion for Fees. I had no idea there was a reply, and what the grounds were against me. And now that I have read them, I feel that there is not going to be sufficient time to prepare for this myself. There are many misleading statements and documents given to the Commission that need to be properly addressed.

I close in asking a question. Is it part of the procedure for the Complainant to be copied, or supplied with a copy of any Motions filed that would continue a case? As I read FEC Rules I see 2B-1.0045 states that to claim costs and attorney fees, the respondent shall file a petition with the Commission within 30 days of dismissal. That apparently was done on July 11, 2013. The rule then goes on to say, the Commission clerk shall forward a copy of the petition to the complainant by certified mail. That apparently was **not** done.

Having said this, I am going to speak to an attorney in the next few days and then see the options I may have. If after reading this, you have a suggestion, please contact me.

Bob Barnas
High Springs City Commissioner
352-538-7355

On Mon, Oct 28, 2013 at 3:35 PM, Donna Malphurs <Donna.Malphurs@myfloridalegal.com> wrote:

Mr Barnas,

I have emailed you the records pertaining to this case. Please confirm you received them.
Thanks.

Donna Ann Malphurs, Agency Clerk
Florida Elections Commission

850-922-4539 x 102

--

Bob Barnas
Office of High Springs City Commissioner
On Behalf of the City of High Springs
352-538-7355

Please note:

Florida has a very broad public records law. Most written communication, including e-mail addresses, to or from the City regarding City business are public records available to the public and Media upon request. Your e-mail communication may be subject to public disclosure.

--

Bob Barnas
Office of High Springs City Commissioner
On Behalf of the City of High Springs
352-538-7355

Please note:

Florida has a very broad public records law. Most written communication, including e-mail addresses, to or from the City regarding City business are public records available to the public and Media upon request. Your e-mail communication may be subject to public disclosure.

October, 29, 2013

FLORIDA ELECTION COMMISSION
107 W Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399
Attn: Donna Malphurs

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Ms. Malphurs and the Florida Election Commission,

On October 28, 2013 I received an regular letter informing me that there would be a FEC hearing scheduled for my complaint case number 13-125 This hearing would be on November 13, 2013 at 10:00am in Tallahassee

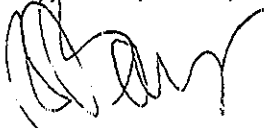
Immediately upon receiving this letter I contacted you at your office and we had a conversation and emails were exchanged to bring me up to date on this case. It had been my understanding that it ended with a letter dated June 28, 2013 from the FEC that the case was closed

Since that letter I have received no additional emails or correspondence from the office of the FEC. Your office has confirmed that no additional emails, letters (regular or certified) have been sent to me either by mail or electronic communication So I hope you see my surprise that this case is still ongoing and that I am now being asked to pay fees and costs

In the conversations and emails that have taken place since Oct 28, 2013, and following my review of the documents you sent me, I informed you that it was in the best interest of the FECs' time, my time and the case to me NOT ask for a continuance

After my review of documents, and considering the miscommunication concerning timeline of events, I am asking that you submit the paperwork title REPLY TO MOTION FOR ATTORNEYS FEES, to the commission and for the record

Thank you for your help and understanding



Robert J. Barnas, Complainant
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355

October 29, 2013

REPLY TO MOTION FOR ATTORNEYS FEES AND COST

Case No. ; 13-125

Respondent: Sharon L. Yeago

Complainant: Robert J Barnas

Basis for the complaint was that Concerned Citizens for a Better High Springs was and is a Political Committee and failed to register and do filings as required

Florida Statute 106 11(1)(a) 1 Defines a "Political committee" as a combination of two or more individuals, or a person other than an individual, that, in an aggregate amount excess of \$500 during a single year:

c Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue.

The statute does not say that to be a committee they must say vote yes or no It simply says, "that expressly advocate the passage or defeat of an issue" (in this case)

It also says they must spent \$500 or more. And there is no doubt or question that the newspaper ad alone cost more than that

I made no other claims that were malicious, false or with intent to harm anyone Just uphold what I see as law and the truth

I submitted documents as did Mr Regensdorf I said in writing and in the submitted exhibits that showed where there was a handout opposed the debt limit. I also submitted the page on their Facebook that says the same. An opposition to the debt limit that was on the upcoming ballot.

The key documents I submitted with my original complaint are:

- 1) "exhibit 5". CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS, two sided Mission Statement in handout form. Read this carefully, because it has Five Key Areas of Principal Concern. With 5 being opposition to ballot debt limit issue
- 2) A Facebook post that I submitted that was posted on 10/10/2012 that matches exactly the handout distributed by the organization.

This two sided handout I submitted was distributed at the Woman's Club Forum where candidates spoke on October 23, 2012. Ten days after the Facebook opposition to the debt limit was posted

Now, in his request for fees and costs, Mr Regensdorf also submitted a Mission Statement as an exhibit "A". But here is the difference. His Mission Statement and exhibit has the same font on the top, and the same wording on the top, but everything else is different to fit his claim for fees and cost. Five Key areas is gone. It only now has 4. Number 5 was the opposition to the debt.

Mr. Regensdorf claim for fees and cost many times state that the organization never opposed anything. This might have a little merit, if you use HIS exhibit "A". So I ask the commission to carefully look at the Mission Statement I submitted, then compare the exhibit of Mr. Regensdorf. Then ask the question, "why would a lawyer submit an altered document"? You can't make this stuff up

Next I submitted a copy of the newspaper ad Many names of which include a Tom Hewlett, who memorializes his name as a member of the organization. Along with many others including Mr. Regensdorf

In my complaint I mention a sign that said VOTE NO I did not know who made it or got a picture of it In his claim for fees and costs, Mr Regensdorf has another exhibit "2" Page 35-38 are an Affidavit by Tom Hewlett, the member who we now know made the sign. Tom Hewlett as a member of the organization posted the VOTE NO sign on the fence. A clear opposition as a member

Then in the last year, the esteemed attorney in the organization, Mr. Regensdorf along with an attorney Linda Rice Chapman filed a lawsuit for another member of the organization, a Mr Ross Amborse, to oppose the ballot issue and the vote. Another clear opposition by members of the group to the ballot issue. What is the cost of that? And it has resulted in the voiding of 1801 votes. And a ruling by Judge Griffis of with prejudice for "no attorney fees", and an order denying a separate motion for Reconsideration for attorney fees in that case. And now, a appeal to the 1st District Court for Attorneys fees ONLY, in that case.

I still feel that this organization is a political committee as defined what I do not have is the resources to continue this fight and get Affidavits of others who can corroborate my complaint and connect the spending of more than \$500. I cannot afford depositions and in the best interest of the City of High Springs stopped filing in the case

I did not do this complaint with malice, hate or intent to harm anyone I just wanted the truth, I SUBMITTED the truth and felt the FACTS spoke for themselves

Attached are :

Exhibit 1, The Facebook post from October 10, 2012 that matches the Original Mission Statement passed out at the candidate forum

Exhibit 2, Original (unaltered version) Mission Statement of the Concerned Citizens for a Better High Springs Handed out on October 23, 2012.

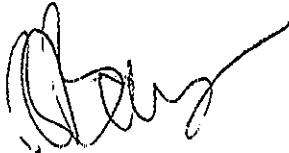
Exhibit 3, The new and altered and improved Mission Statement submitted as supporting document by Mr. Regensdorf. Altered from the original version in my complaint to better suit his current position. so, when did this change occur?

Exhibit 4, Tom Hewlett Affidavit stating he held a sign in opposition to the debt to vote NO

The final comment I have is that if you are a member of a organization (as stated plainly in the newspaper) , that still is on the internet and Facebook alive and well where does your connection end? And you have been at meetings or passing out flyers in a booth or recruiting while making statements opposing candidates or issues and then you post a sign that says VOTE NO, or file a lawsuit in opposition to a ballot issue, WHERE DOES SEPERATION OCCUR? When does a separation occur from of the organization to an individual person?

Again, nothing was done with malice or intent to harm I submitted my complaint in good faith

I ask that this commission deny a motion for fees and costs

A handwritten signature in black ink, appearing to read 'Robert J. Barnas', with a long, sweeping horizontal stroke extending to the right.

Robert J. Barnas, Complainant
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355

EXHIBIT 1
(3 PAGES)

POSTED
10/10/2012
STILL ON
FACEBOOK

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN:

- 1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000 but always projected at less than the City's cost;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years, and an expected further drop of at least 9%, making the local dispatch center's increased cost inappropriate at this time

THEREFORE, WE BELIEVE: Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford

- 2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

- a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour;
- b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices;
- c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically

THEREFORE, WE BELIEVE: The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.

- 3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance.

- a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices;
- b. The City has been operating without an experienced City Manager, City Attorney, City Planner, City Engineer, Public Works Director, full time Codes Enforcement Officer, full time Utilities Operator, and full time Parks and Recreation staff leaving the City with a significant loss of institutional knowledge making it very vulnerable in all phases of operation and management oversight;
- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013

THEREFORE, WE BELIEVE: The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government

4 Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

- a) Water & Sewer- Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again;
- b) Brick & Mortar - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

THEREFORE, WE BELIEVE: Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better be used to preserve the City's infrastructure.

5 Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt,

before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla.Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>

EXHIBIT 2
(2 PAGES)

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. **The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.**
 - a Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
 - c Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

2. **The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.**
 - a The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
 - b The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices
 - c There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

3. **The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance**
 - a The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices
 - b The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

- a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
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Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

EXHIBIT 3
(3 PAGES)

ALTERED
"MISSING
ITEM 5"

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p.m., when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission.

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@email.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosiqm3>

EXHIBIT 4
(4 PAGES)

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF THOMAS HEWLETT

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Thomas Hewlett who, after being duly sworn on oath stated as follows:

1 My name is Thomas Hewlett and my residence is 315 SE 6th Lane, in the City of High Springs, Florida

2 I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct

3 I was aware of the formation of a concerned citizens group in the City of High Springs in the Fall of 2012 because the tenor of City government in High Springs, led largely by the three person majority including the Vice Mayor, Robert Batnas, had become uncivil, unnecessarily contentious, and unacceptable. As a result of these realities in our City, a group of citizens formed an informal organization called the Concerned Citizens For a Better High Springs. I was not on the steering committee of that organization, but I attended several meetings and I am aware of the work that they did and the goals that they set.

4 The Concerned Citizens group developed a number of goals and policies that it wished to advocate, none of which was directly related to supporting the candidacy of any individual, the opposition to any candidate, nor the passage or opposition of any ballot issue on the November 2012 election. In fact, the Concerned Citizens group consciously avoided any such endorsement for or against any individual or any issue so that it could stay above the fray. The issues that the public statements and the newspaper advertisement by this group clearly



raised reflect that commitment to good government, but avoid any endorsement of or expressly advocating for or against any candidate or for or against any issue on the November 2012 ballot.

5 On the November 2012 ballot in the City of High Springs was a charter amendment pushed significantly by the Vice Mayor, Robert Barnas, which was designed to severely limit the power of future city commissions to govern

6 Since the Concerned Citizens group took no public position whatsoever with respect to that charter amendment, and since the City Commission majority [including Vice Mayor Barnas] distributed no information of any sort that explained the proposed amendment, my wife Linda and I decided as individual citizens that we would put up signage against the passage of that ordinance. Without any consultation with the Concerned Citizens group, and neither seeking nor obtaining the endorsement or help of any group in the City of High Springs, my wife and I paid a total of \$98.58 to obtain two commercially printed signs that urged the citizens of High Springs to vote "No" on the proposed charter amendment. The signs made no reference to the Concerned Citizens group whatsoever

7 Photographs of the fronts and backs of these signs are attached hereto as Exhibits

8 The Concerned Citizens group was not aware of the preparation of these signs, they did not endorse the preparation of these signs, they did not contribute to the funding for these signs, and did not in any way suggest any design or format for these signs. My wife and I took this on ourselves as individual citizens in the City of High Springs. A copy of the payment that we made from our personal checking account is attached hereto as an Exhibit as well

9 As the election approached, another individual citizen in the City of High Springs brought a personal lawsuit against the City, challenging the method by which this charter amendment had been rammed through the City Commission, largely by Vice Mayor Barnas

Immediately the circuit court in Gainesville agreed with this citizen's personal challenge and found the ordinance to have been improperly enacted and void from the start. The court's preliminary injunction and final order are attached to this affidavit as additional exhibits. The final decision from the Court did not come until the City conceded defeat after the election.

10 On election day my husband and I with a friend brought the signs that we had purchased to the two City polling places and put them up.

11 I still have one of the signs in question. These were our idea and we paid for them. My wife and I will further explain these circumstances to any governmental body in the State of Florida if it is necessary.

FURTHER AFFIANT SAYETH NO!

Thomas E. Hewlett
Affiant's Signature

STATE OF FLORIDA
COUNTY OF Alachua :

The foregoing instrument was acknowledged this 22 day of April, 2013 by Thomas E. Hewlett who is personally known to me or who has produced as identification

Witness my hand and official seal this 22 day of April 2013



SHANNON HESTER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE063524
Expires 2/7/2015

Shannon Hester
Notary Public
Printed Name
of Notary

Shannon Hester

Commission Expires: 2/7/2015

Commission Number EE053824

Page 1

CONCERNED

Veigo E 6

continued from front

In reality, unfortunately this isn't a television show that in the span of 30 minutes solves all its issues. This is a real city, with real residents and employees. This is a place where commission action has real consequences. And sadly, the people left holding the bag will not be the current commission, but the residents who will foot not only the financial burden, but the task of stabilizing and rebuilding the city's workforce and reputation as well.

But even in this bastion of slipshod governance where many decisions are based on cronyism and retribution rather than sound policy and good leadership, there are several rays of hope, one being the upcoming city commission election, and the other being the grassroots group, Concerned Citizens for a Better High Springs. The future of High Springs is in the hands of its residents who must step up and make informed decisions in the coming days. Whether these decisions are at the ballot box or through public participation with civic minded individuals seeking to restore High Springs government to a sound footing, it has never been more imperative that residents take a stand. The future of High Springs hangs in the balance.

**THE CURRENT COMMISSION HAS ACTED ON
IMPULSE AND PUT THIS CITY IN PERIL. PAT
RUSH PROMISES MORE OF THE SAME.
BYRAN, SUE AND SCOTT CAN SAVE THE DAY.**

**VOTE FOR
BYRAN
WILLIAMS
HIGH SPRINGS CITY COMMISSION**

**VOTE
NO
FOR THE
CHARTER AMENDMENT**

Political Advertisement Paid for and Approved by Byran Williams for High

>>
 >> From: Bob Barnas <bbarnas@highsprings.us>
 >> Subject: Concerned Citizens for a Better High Springs
 >> Date: December 5, 2012 3:46:53 PM EST
 >> To: Lee Vincent <lvincent@highsprings.us>, Scott Walker
 >> <scott@foldsandwalker.com>, HSCitizens@gmail.com

>> Lee and Scott,

>>
 >> I asked Jenny today for an address for the group. She has no physical
 >> address linked to this group. I would like to know iff this is OK? Is
 >> it OK to give the use of the "Old School" to a group that has no
 >> single spokesperson as their head and no address to correspond with
 >> should there ever be an issue going down the road? They are asking the
 >> community on Facebook for donations. It does not say to the city, or
 >> to them.

>>
 >> The only thing Jenny has is that the email from them that they use was
 >> linked to a request from Ross Amborse. So if he is their spokesperson
 >> or person that organized the group fine, just let us know so we can
 >> send a thank you card or documents we may have to deal with. Ed
 >> McKinnon, Sharron Yeago, Linda Jones.....who is actually trhe
 >> responsible person for the grassroots group? Are they at the address of
 >> CDC? I think we need to know.

>>
 >> While there are many prominent names in the group, I have been asked
 >> who are these people?

>>
 >> cc: hscitizens@gmail.com
 >> Bob Barnas
 >> High Springs City Commissioner
 >> 352-538-7355

>>
 >> *Please note:*

>>
 >> Florida has a very broad public records law. Most written communication,
 >> including e-mail addresses, to or from the City regarding City business
 >> are
 >> public records available to the public and Media upon request. Your e-mail
 >> communication may be subject to public disclosure.

>> -
 >> Sharon L. Yeago
 >> 386-418-8017 phone
 >> 352-256-8115 cell

>> _____
 >> "The first wealth is health."
 >> - Ralph Waldo Emerson

>>
 >> "Let thy food be thy medicine and thy medicine be thy food "
 >> - Hippocrates

>
 >
 >

>
> —
> **Bob Bamas**
> **High Springs City Commissioner**
> 352-538-7355

>
> ***Please note:***

>
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>

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Sharon L. Yeago
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"The first wealth is health."
- Ralph Waldo Emerson

"Let thy food be thy medicine and thy medicine be thy food."
- Hippocrates



Bob Barnas <bbarnas@highsprings.us>

Re: Concerned Citizens for a Better High Springs

1 message

Sharon Yeago <sharon@yeago.net>

Fri, Dec 7, 2012 at 12:25 PM

To: Bob Barnas <bbarnas@highsprings.us>

Cc: John Manley <jmanley3@yahoo.com>, Bob Jones <ticonderoga47@hotmail.com>, Linda Jones <sunsetwishes@hotmail.com>

Bob, if you are interested in publicly supporting our values, you should follow the instructions outlined in every publication, press release or article that has been written or distributed to date. These are readily available on Facebook, Alachua Today and the Observer.

Please let me know if you need another copy of these materials. We can share with your our Guiding Principles, Recommendations etc.

As you also know by reviewing our supporters list previously submitted we already have three commissioners who support our values. Therefore, attendance at our meetings could become problematic and I would recommend legal advice on that issue.

I am traveling and have not had access to my computer (I'm using a guest services computer right now during my lunch break at a conference in Jax) which is why the delay in my response to you.

I look forward to your response. I return to High Springs this evening and can forward you any materials you require at that time.

Take care, Sharon

On Thu, Dec 6, 2012 at 1:04 PM, Bob Barnas <bbarnas@highsprings.us> wrote:

- > Sharon,
- >
- > So how does someone, say someone like me become a member? Is there an application?
- >
- > Can I get a list of current members after I become a member?
- >
- > I understand other commissioners are mmbers and for the good of the community we should have unity.
- >
- > Bob Barnas
- > High Springs City Commissioner
- >
- >
- >

> On Wed, Dec 5, 2012 at 8:02 PM, Sharon Yeago <sharon@yeago.net> wrote:

- >>
- >> Dear Bob, Lee and Scott,
- >>
- >> I am the official spokesperson for the Concerned Citizens group. I

>> have handled all publicity and development of public policy
>> statements.
>>
>> As you may also know, we are a group of concerned citizens. We are
>> not incorporated, have no fictitious name registration and therefore
>> do not have a bank account. We do have a Steering Committee (copied
>> here.) A list of our public supporters is attached for your record
>> and to clarify 'who are these people?' This was published in Alachua
>> Today. Please feel free to distribute to anyone requiring clarity.
>> While there are many names of prominent citizens, most of those listed
>> are regular folks who just live and/or work in High Springs.
>>
>> For clarification, we have absolutely no affiliation with any other
>> organization, including the HS CDC and I would appreciate it if you
>> would keep that in mind during future public statements about our
>> group. Most of the supporters of CCFBHS are actively engaged in their
>> community, whether at church, their childrens' school, the community
>> theater, or other groups and so it would stand to reason that they
>> would be affiliated with one organization or another. We include
>> Republicans, Democrats, liberals, moderates and one supporter who
>> describes herself as 'right of the Tea Party.' Our supporters
>> comprise all aspects of community life in High Springs.
>>
>> If you require a mailing address, please feel free to use either my
>> personal residence at 21120 NW 132 Lane, High Springs, FL 32643, or PO
>> Box 2114, High Springs, FL 32655-2114, which I have maintained for
>> more than a dozen years.
>>
>> Regarding donations, we are accepting gifts and gift certificates as
>> well as food and volunteer time for the Holiday Gathering event which
>> is a dinner for City employees and their families. In addition to
>> food, gifts will be distributed. Many citizens are coming forward to
>> help with this dinner.
>>
>> As a point of reference since we don't each other very well, I served
>> the City of High Springs for 8 years as an independent contractor that
>> developed and managed the High Springs Farmers Market from 2000 to
>> 2008.
>>
>> I was also a consultant to the City many years ago when the City tried
>> to save the Youth Center which was previously located in the Old
>> School. In both cases, I was specifically requested to serve by the
>> City Commission (we were under a mayor form of government back then)
>> I have worked very closely with city staff for a long time and have a
>> fondness and respect for our government and the people who work for
>> us, the taxpayers.
>>
>> Please direct any questions, concerns or issues to me should they
>> arise. I will be most happy to respond as quickly and completely as
>> possible so that there are no further issues with miscommunication or
>> distribution of incorrect information.
>>
>> Thank you for your service to our City.
>>
>> Take care, Sharon
>>
>>
>>
>> Begin forwarded message:

1.



Concerned Citizens For A Better High Springs

November 16, 2012

Hello,

The election may be over but the work of the Concerned Citizen's group continues.

However, with the holidays approaching, a new commissioner yet to be sworn in and waiting the arrival of a new City Manager stepping back for a while is appropriate. In the mean time, here is some important information to pass along.

1) The group will not be meeting this week (Sunday November 18th).

2) On Tuesday evening, the 20th, at 6:30 PM in City Hall, Byran Williams will be sworn in. Public service is not easy and many are not willing to attempt it. This will be the last

meeting for ~~Mayor Dean Davis and your opportunity to acknowledge his service of three years and to support Byran as he begins a new three year term.~~ The Commission will elect a Mayor and Vice Mayor at this meeting as well as appoint citizens to many of the Citizen Boards.

3) The Citizens group will be hosting a holiday party for City Employees on Friday evening December 14th. The event will have live music and be served buffet style. All of the details are not confirmed - but if you would like to help, make a dish or be involved please email us or contact Ed MacKinnion. Some business have expressed an interest in helping to put together "gift baskets". If you are interested in contributing something, in any quantity (items, gift certificates or just a note of thanks) please let us know!

Lastly, Catholic Charities always appreciates support for those in our community in need. If you have some food, warm clothing or other items that can be shared they would welcome your donations. Catholic Charities is located in the brick building under the water tower on SE 1st Avenue.

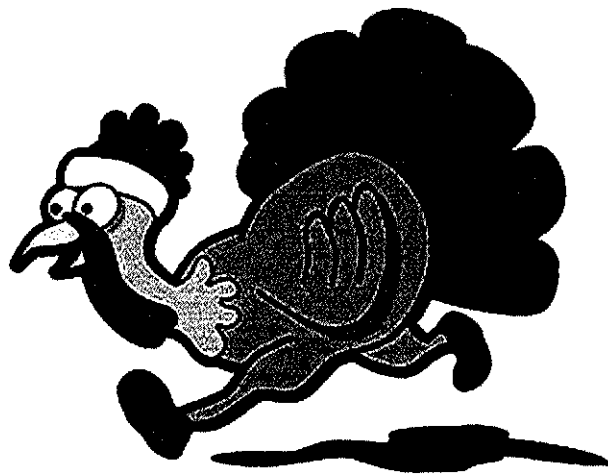
Have a safe and happy Thanksgiving week!

Becky Johnson,

Bob Jones,

Linda Jones,

John Manley



Concerned Citizens For A Better High Springs

March 25, 2013

Code-Of-Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the last Commission Meeting

"Good evening Mayor & Commissioners,

My name is Linda Jones and I am a resident of Edgemore in High Springs. I am speaking tonight on behalf of the Concerned Citizens group, where I serve on the Steering Committee.

Last fall, when our Mission Statement was drafted, we publicly defined four Principles that would guide our group. This included, "Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents." Adopting a Code of Conduct for our city leaders is consistent with this principle and we encourage the Commission to do so.

The City of High Springs is not breaking new ground by considering such a code. The cities of Bradenton and St. Pete here in Florida have recently adopted such codes, ones I can only assume our City Attorney has reviewed in preparing the Resolution you are considering tonight. The Internet, Social Media, availability of video cameras in everyone's cell phone are just some of the driving forces behind the need for our city to provide clear guidance and expectations for our officials. The job of representing the city is a 24/7 responsibility where it is not easy, if not at times impossible, to make the distinction between personal comment and action vs. that of a representative.

Concerned Citizens believes that it is the duty of our representatives to be held to a higher standard as should be detailed in an adopted Code of Conduct. Please vote to support such a code or explain to the community why the proposed code is not being supported.

Thank you."



Gmail

COMPOSE

Free Scores Now - 3 Bureau Credit Report - View your I

Inbox (11)

Starred

Important

Sent Mail

Drafts (2)

More

Bob

New Hangout

Joseph Little

Fwd: FW: Barnas v. Yeago Inbox x

Joseph Little
to me

----- Forwarded message -----
From: <Paul.Regensdorf@hklaw.com>
Date: Thu, Feb 20, 2014 at 12:30 PM
Subject: Fwd: Barnas v. Yeago
To: littlejnv@gmail.com

Part 2 from Ms. Yeago

Paul Regensdorf | Holland & Knight
Partner
50 North Laura Street, Suite 3900 | Jacksonville FL 3

To ensure compliance with Treasury Regulations (31
purpose of avoiding penalties imposed by the Interns

-----Original Message-----
From: Tindall, Ashley S (JAX - X25467)
Sent: Thursday, February 20, 2014 11:54 AM
To: Regensdorf, Paul R (JAX - X27398)
Subject: RE: Barnas v Yeago

Ashley S. Tindall | Holland & Knight
Sr Legal Secretary to:
Suzanne M. Judas, Esq., Paul R. Regensdorf, Esq.
Barbara S. Cocciolo, Esq. & Jeremy Ches. Esq.
50 North Laura Street, Suite 3900
Jacksonville FL 32202
Phone 904.798.5467 | Fax 904.358.1872
ashley.tindall@hklaw.com | www.hklaw.com
Add to address book

-----Original Message-----
From: Regensdorf, Paul R (JAX - X27398)
Sent: Thursday, February 20, 2014 10:55 AM
To: Tindall, Ashley S (JAX - X25467)
Subject: Barnas v. Yeago

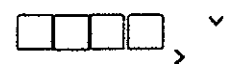
Can you forward me the following:
1. Billing printout of hours/pro forma
2. Retention Letter agreement with Ms. Yeago 3. An
Email me with any questions.

- Suzanne Ackersman
- Stefi Rubin Affron
- Christopher Agle
- Ross Ambrose
- Lars Anderson
- Patsy Anderson
- Dickie Arvia
- Shari Ashby
- Carolyn Baker
- Jeanette Banks
- Penny Banks, former City employee
- Johanne Barrows
- Celeste Beck
- Roger G. Beck, DPM
- Susan J. Beck
- Larry Belmke
- Anne Alfano Bello
- Marilyn Bennett
- Karen Bentz
- Marvin Blankenship
- Susie Blankenship
- Cindy Martin Blanton
- David Bludworth
- Avan Blum
- Barbara Blum
- Norma Boone
- Donna Bradbrook
- Anna Bradford
- Stacey Breheny
- Sharon Britton
- Jay Bromentschenkel
- Susan Brotherton
- Linda Bucheri
- Heather McCull Caballero
- Valerie Cason
- Pat Caudle
- Dennis Chisholm
- Cameron Christ
- Paula Gavin Cifuentes
- Heather Clarich
- Jeanette Clarich
- Thomas Clarich, Sr.
- Thomas G Clarich
- Suzie Clark
- Hal Cohen
- Linda Cohen
- Tina Collins, former City employee
- John Conly
- Jim Conner
- Barbara Cox
- Paige Coyle
- Rick Coyle
- Crystal Lane Curran
- Andrew Daugherty
- Carol Daugherty
- Karen Wood Davis

- Toni DeFeter, former City Commissioner/City Attorney
- Jan Dickson
- Ron Dickson
- Deborah Douglas
- Jim Drew
- Dawn Lange Drumm
- Ronald DuPont Jr.
- Saroj Earl
- Terry Emma
- Shannon Erickson
- Darin Erskine
- Holly Erskine
- Jeff Evans
- William Eyerly
- Jennifer Forrester

< [unreadable] >

Supporter Names 11_7_12.pdf
10 of 11



Susanne Ackermann
Stefi Hulin Affron
Christopher Agle
Ross Ambrose
Lars Anderson
Patsy Anderson
Dickie Arvia
Shari Asbury
Carolyn Baker
Jeannette Banks
Penny Banks, former City employee
JoAnne Barrows
Celeste Beck
Roger G. Beck, DPM
Susan J. Beck
Larry Belmke
Anne Alfano Belle
Marilyn Bennett
Karen Bentz
Marvin Blankenship
Susie Blankenship
Cindy Martin Blanken
David Bludworth
Alvan Bluhm
Barbara Bluhm
Norma Boone
Donna Bradbrook
Anna Bradford
Stacey Breheny
Sharon Britton
Jay Bromenschenkel
Susan Brotherton
Linda Buccheri
Heather McCull Caballero
Valerie Cason
Pat Caudle
Dennis Chouinard
Cameron Christ
Faula Gray Cifuentes
Heather Clarich
Jeannette Clarich
Thomas Clarich, Sr.
Thomas G Clarich
Suzie Clark
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Barbara Cox
Paige Coyle
Rick Coyle
Crystal Lane Curran
Andrew Daugherty
Carol Daugherty
Karen Wood Davis

Tom DePeter, former City Commissioner/City Attorney
Juan Dickson
Ron Dickson
Deborah Douglas
Jen Drow
Down Lange Drumm
Ronald DuPont, Jr
Saraj Earl
Terry Emma
Shannon Erickson
Darin Erskin
Holly Eeckline
Jeff Evans
William Eyerly
Jennifer Forrester

< [unreadable] >

View all

Supporter Names 11_7_12.pdf
10 of 11

Open with [] [] []

Vote For Byran Williams

November 06, 2012

I will work to bring economic development to our city so that we can become more financially self-sufficient. Clean industry that provides high quality jobs.

I will work to break down the barriers that discourage business development. By developing adequate infrastructure, shorten and ease the permitting process and educating citizens about the importance of economic development.

I am committed to the welfare and development of this city and its citizens. I love High Springs and I am totally invested in its economic development and expanding its capacity to be self-sufficient.

I will work to start and/or improve recreation programs for our citizen's seniors, adults, youth, and children.

I have served this community for two terms and one year as commissioner, Mayor, and Vice-Mayor. I bring seven year experience as a High Springs Commissioner and proven leadership skills.

I am a life-long resident of the area, having built relationship with various sectors of the community.

I will be open-minded to listen to the thoughts and desires of our citizens. My political principles are simple: I believe in fairness, honesty, listening, and open communication with all people. I will work hard for you as your commissioner.

Candidates Forum

**CONCERNED CITIZENS
ENCOURAGES HIGH SPRINGS RESIDENTS
TO ATTEND CANDIDATES FORUM
TUESDAY, OCTOBER 23RD**

HIGH SPRINGS, FL – Concerned Citizens for a Better High Springs encourages all High Springs residents to attend the Candidates Forum sponsored by the High Springs New Century Woman's Club on Tuesday, Oct. 23, 2012 at 7:00 PM at the Club located at 40 NW First Avenue (next to City Hall). There will be a Meet and Greet starting at 6:30 PM followed by the Forum. Byran Williams and Pat Rush, candidates for City Commission Seat 4 will be in attendance.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla. Stat. Section 105.0711 does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others interested in and supportive of our goals to sign on to show public support for this effort by email at hootizens@comcast.com or "liking" the group on Facebook at <http://tinyurl.com/bo5jqm3>

-Sharon Yeager

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS
reminds you to **GO ALL THE WAY** to **PAGE 4**
to ensure your voice is heard in High Springs!

SAMPLE GENERAL ELECTION BALLOT
ALACHUA COUNTY, FLORIDA
NOVEMBER 6, 2012

VOTE BOTH SIDES OF BALLOT

Page 4 of 4

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Byran Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

Scott Jamison

WITHDRAWN) Edward "Ed" Riess

PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

GO ALL THE WAY

**NO. 10
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 3 - ARTICLE XII, SECTION 32**

Tangible Personal Property Tax Exemption

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective levy, and as provided by general law, to provide tangible personal property tax exemptions by ordinance. This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

- YES
 NO

**NO. 11
CONSTITUTIONAL AMENDMENT
ARTICLE VII, SECTION 6**

Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

- YES
 NO

**NO. 12
CONSTITUTIONAL AMENDMENT
ARTICLE IX, SECTION 7**

Appointment of Student Body President to Board of Governors of the State University System

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

- YES
 NO

If you live in the City of Archer,
↓ these races will appear on your ballot. ↓

**ARCHER CITY COMMISSION
SEAT 1
(Vote for One)**

- Laurie Costello
 Doug Jones

**ARCHER CITY COMMISSION
SEAT 2
(Vote for One)**

- James Mayberry
 Marjorie Zander

**ALACHUA COUNTY QUESTION 1
FIX OUR ROADS ALACHUA COUNTY:
FUNDING ROAD IMPROVEMENTS BY LEVYING A ¾% SALES SURTAX**

Shall Alachua County implement a Road Improvement Plan to extend the life and improve the safety of county Roads by maintaining, paving and reconstructing Roads; and in the Cities of Gainesville, Alachua, Newberry, High Springs, Hawthorne, Waldo and Archer, and the Towns of Micanopy and LaCrosse, funding municipal Road maintenance, construction, reconstruction and paving projects; by levying a ¾% sales surtax for 15 years subject to independent audit and citizen review.

- FOR the three-quarters percent (¾%) transportation sales surtax.
 AGAINST the three-quarters percent (¾%) transportation sales surtax.

**ALACHUA COUNTY QUESTION 2
RENEWAL OF THE EXISTING ONE MILL AD VALOREM TAX FOR
SCHOOL DISTRICT OPERATING EXPENSES**

Shall the Alachua County School District's existing one mill ad valorem tax be renewed, beginning July 1, 2013, and ending four years later on June 30, 2017, for necessary operating expenses to fund school nurses, elementary music and art programs, K-12 school library programs, K-12 guidance programs, middle and high school bands and chorus programs, academic/career technical magnet programs and to update classroom technology; with oversight by an independent citizens' committee?

- YES
 NO

If you live in the City of High Springs,
↓ these races will appear on your ballot. ↓

**HIGH SPRINGS CITY COMMISSION
SEAT 4
(Vote for One)**

- Pat Rush
 Byran Williams

**HIGH SPRINGS CITY COMMISSION
SEAT 5
(Vote for One)**

A candidate has withdrawn from this race. Therefore, a vote cast in this race will not change the outcome as the remaining candidate is deemed by law to be elected for the race.

- Scott Jamison
 Edward "Ed" Riess

**PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1**

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

- YES
 NO

If you live in the part of Precinct 40 that is not within
↓ the City of Gainesville, this race will appear on your ballot. ↓

**ANNEXATION
(Vote for One)**

- FOR annexation of property described in Ordinance Number 120172 of the City of Gainesville
 AGAINST annexation of property described in Ordinance Number 120172 of the City of Gainesville

Concerned Citizens For A Better High Springs

November 6

Let's GET OUT THE VOTE! Concerned Citizens volunteers will be offering rides to the polls. Anyone needing a ride to vote should contact coordinator Sandi Gardner at 352-339-4345.

Share

1

2 people like this.

Concerned Citizens For A Better High Springs
November 8

You may have voted but there is still more to do. Citizens will again be meeting this Sunday at the City building.

We are still focused on our Guiding Principles. If you would like a copy or to be added to the email list please contact HSCitizens@Gmail.com Sunday's meeting

- 1) Discussing a plan for continuing a project in a voice of reason for the community
- 2) Discussing how often the group should meet and the possibility of having smaller work groups
- 3) Finances and if we need a budget,
- 4) Holiday Event for Employees including Baskets for employees of the City,

If you can't join us, but would like to be added to this email. Your thoughts will be appreciated.

If you can join us, please bring a chair (if you have a few).

The meeting will be approximately on the 15th. Meetings focused, where there is significant work may be assigned to a group of volunteers. (like the employee lunch / holiday baskets). For the first meeting, come a few minutes early. We have a Committee and other volunteers. Questions will be answered. If you have questions after the meeting, please let us know more about how the group works. We will have folks always remain after the meeting to discuss about particular issues.

Thank You!

Bob Jones
Linda Jones
Becky Johnson
John Manley

Concerned Citizens For A Better High Springs
November 16

Hello,

The election may be over but the work of the Concerned Citizen's group continues. However, with the holidays approaching, a new commissioner yet to be sworn in and waiting the arrival of a new City Manager stepping back for a while is appropriate. In the mean time, here is some important information to pass along.

- 1) The group will not be meeting this week (Sunday November 18th).
- 2) On Tuesday evening, the 20th, at 6:30 PM in City Hall, Byran Williams will be sworn in. Public service is not easy and many are not willing to attempt it. This will be the last meeting for Mayor Dean Davis and your opportunity to acknowledge his service of three years and to support Byran as he begins a new three year term. The Commission will elect a Mayor and Vice Mayor at this meeting as well as appoint citizens to many of the Citizen Boards
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Lastly, Catholic Charities always appreciates support for those in our community in need. If you have some food, warm clothing or other items that can be shared they would welcome your donations. Catholic Charities is located in the brick building under the water tower on SE 1st Avenue.

Have a safe and happy Thanksgiving week!

Becky Johnson,
Bob Jones,
Linda Jones,
John Manley

About

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

Description

"Good Policy equals good government"


GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City
...See More

Basic Info

Founded September 28, 2012

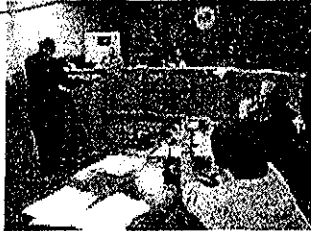
History by Year

2012  Founded on September 28, 2012

1. **Concerned Citizens For A Better High Springs** shared a link

September 30, 2012

Please join our group to help change this!



Political turmoil continues to bubble in High Springs

www.gainesville.com

It was quiet in High Springs on Thursday night, from the empty sidewalks and darkened storefronts to the surprisingly cordial City Commission meeting.

Top of Form

- 22Share
- 2 people like this.
- View all 2 comments

Bottom of Form

1. Concerned Citizens For A Better High Springs shared a link

October 10, 2012

Folks, this link will provide you with your very own copy of our Five Key Areas of Concern:
<https://docs.google.com/open?id=0B8weOLUP4es6bUrtSWlhLrTGh2eU0>

Please share!!

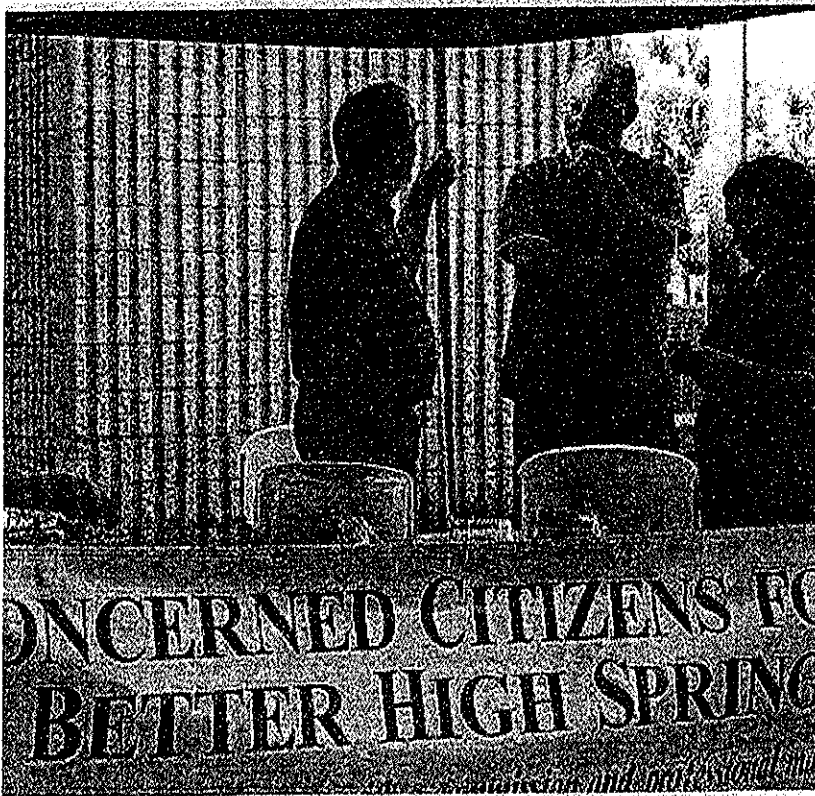
5 Points.pdf - Google Drive

docs.google.com

1. Concerned Citizens For A Better High Springs

October 13 2012

Volunteers spent time during the Community Garage Sale today talking with folks about what has been happening in our community and the policy's we would like the City and Commission to focus on. Please let us know if you would like to be on the email list by emailing HSCitizens@Gmail.com. Thank you to everyone that helped today, stopped by or provided food!



Top of Form

- 111Share
- 11 people like this
- View 1 comment

Bottom of Form

1 **Concerned Citizens For A Better High Springs** shared a link

October 23, 2012

October 23, 2012

CITIZEN GROUP ENCOURAGES HIGH SPRINGS VOTERS TO 'GO ALL THE WAY' TO THE END OF THE BALLOT;

CHECK YOUR POLLING LOCATIONS AND ANNOUNCES THAT RIDES ARE AVAILABLE TO THE POLLS

Concerned Citizens for a Better High Springs enCO.....See More

Alachua County SOE Mobile Web Site

elections.alachua.fl.us

2 Type in your street name You do not need to enter the direction or street type. Example: If you live on East Main Street , type in Main

Concerned Citizens For A Better High Springs
November 8

You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building.

We are still focused on our Guiding Principles. If you would like a copy or to be added to the email list please contact HSCitizens@Gmail.com Sunday's meeting includes:

- 1) Discussing a plan for continuing a positive conversation based in a voice of reason for the community,
- 2) Discussing how often the group should meet and the possibility of having smaller work groups,
- 3) Finances and if we need a budget,
- 4) Holiday Event for Employees including Thanksgiving / Holiday Baskets for employees of the City,

If you can't join us, but would like to send input, please reply to this email. Your thoughts will be passed along.

If you can join us, please bring a chair (the building has very few).

The meeting will be approximately one hour. To help keep the meetings focused, where there is significant discussion, items may be assigned to a group of volunteers to work out the details (like the employee lunch / holiday baskets). Also, if this is your first meeting, come a few minutes early and meet the Steering Committee and other volunteers. Questions you may have can be answered. If you have questions after the meeting or need to know more about how the group got to a certain point, some folks always remain after the meeting to talk with individuals about particular issues.

Thank You!

Bob Jones
Linda Jones
Becky Johnson
John Manley

Citizen Group Forms In High Springs



Staff Reporter

• Mon, Oct 01, 2012

A group of local citizens has formed Concerned Citizens for a Better High Springs in an effort to effect good policy decisions by local government. This newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials, utilizing existing governance structures and creating new policies to improve the wellbeing of the City of High Springs.

According to local resident, John P. Manley, III, one of the initial organizers of the group, "We hope to put before the Citizens of High Springs a series of goals for the management and administration of the City to return it to a balanced, financially viable operation. Additionally, we wish to promote the City Administration as a pro-active catalyst for serving the people and move the City to reach its highest and best potential. We wish to create an environment of appreciation and initiative that works to rebuild the once strong morale amongst the City Staff so they can continue to serve the Citizens with the distinction for friendliness and service they have always had. Finally, we wish to incorporate those near term goals for stabilizing the City into a component of a broader landscape that paints a future picture of the City that all the townspeople can embrace; and work together to accomplish. We want our town to be the kind of town that our children hope to remain in to start their families and raise their children."

The group's mission statement reads, "Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future."

The group developed four Guiding Principles that it is using to educate the community and will offer policy recommendations on these issues:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs is looking for local residents, business owners and others invested in and supportive of its goals. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at www.tinyurl.com/bosjqm3.

Sorry, the browser you are using is not currently supported. To use the comments, Disqus recommends the following browsers:

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Bob Jones I moved to High Springs to enjoy a small Southern Town where life was slow and people enjoyed every moment of it. It is such a pleasure to be part of the CCBHS group. It represents what I and Linda find important in life. You must invest in what you find important in life in order to achieve those results. It is not the next persons job to do this, it is a personal responsibility. That citizen responsibility starts right here first and then spreads like an oak tree limbs to County, State and National issues. When we all work together so much is possible.
November 3 at 6:11pm 1

Concerned Citizens For A Better High Springs
November 27

A holiday gathering for City Employees & Families is being planned for December 14th. If you would like to know more, help out or show your support in some way there is more information posted below. You can also email us at HSCitizens@Gmail.com.

Dear Better Citizens supporters,

On Friday, December 14th from 6pm to 8pm in the Old Schoolhouse next to the Police Department, Concerned Citizens for a Better High Springs will host a Holiday Appreciation Dinner for our City's employees and their families. Live music will be provided by Michael Loveday.

We are in need of donations of food and gifts and/or gift certificates for services and products as well as volunteers to cook and serve food at the event where we anticipate approximately 125 people will gather.

Please let us know if you can contribute in any way to support our dedicated employees who keep our fine City operating day and night.

To contribute, just reply to this email and identify your contributions below. Please be SPECIFIC about what you will provide and include your name and phone number in case we need to contact you.

If you have already spoken with Ed about donations, please go ahead and email us with your commitment so we have all the information needed. HSCitizens@Gmail.Com

Your Name:

Your Phone Number(s):

What you can contribute:

Main Courses:

Side Dishes:

Desserts:

Drinks (coffee, tea, soda, water etc):

Paper/Plastic Goods:

Gifts/Gift Certificates:

Volunteer to Cook:

Volunteer to Serve:

Volunteer to help decorate / set up:

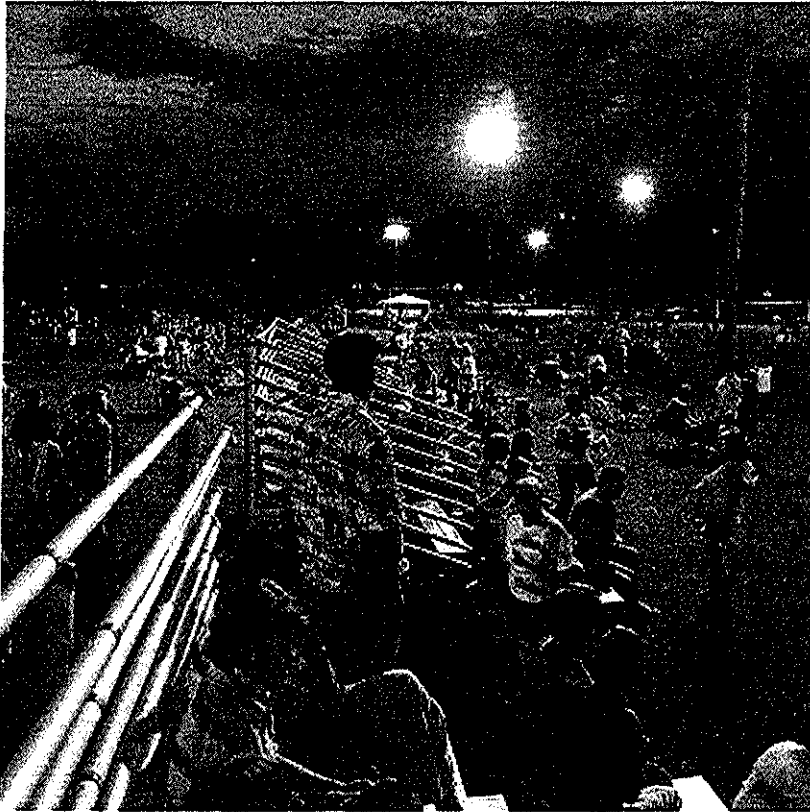
Thanks for your support of our group and our City's dedicated employees

Take care, Ed McKinnon and Sharon Yeago

1. **Concerned Citizens For A Better High Springs**

October 19, 2012

Concerned Citizens will be meeting Sunday October 21st @ 6PM in the old Video City building. Please bring a chair! This photo is from the 4th of July, when our City had its own fireworks display. If you are interested in the Sunday's agenda please email us at HSCitizens@Gmail.com



Search for people, places and things

Poe Springs Home

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Concerned Citizens For A Better High Springs

126 likes 2 talking about this

Liked

Community

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

126

About - Suggest an Edit

Photos

Likes

Highlights

Concerned Citizens For A Better High Springs
3 hours ago

Code Of Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the...[See More](#)



Share

Mary Scott, Lynn Jamison and 2 others like this.

Concerned Citizens For A Better High Springs
February 13

Is this for real? Ever think what you are being offered is a scam? Retired Alachua County Sheriff's officer Joe Pine will hold a class, here in High Springs, to help citizens of all ages learn how to avoid scams, identity theft and other fraudulent criminal activity. The class will be held at the Masonic Lodge on SATURDAY February 16th @ 6 PM. The Masonic Lodge is the brick building on 1st Avenue near NW 5th Street. There is no charge for this crime & fraud prevention seminar.

Share

3 3 2

Concerned Citizens For A Better High Springs
January 16

Some local hospitality for a Vet?

There is a Marine veteran, Mac McQuown, who is walking 15,000 miles across America to raise awareness and donations for Veterans causes with the goal of going to all 50 state capital buildings. He is currently walking from Gainesville to High Springs and will arrive later today (Wednesday 1/16). His next stop will be Lake City but he needs a place to stay for the next three nights (Wednesday, Thursday, and Friday nights). If you would be willing to assist Mr. McQuown in this worthy cause by allowing

Concerned Citizens For A Better High Springs
March 15

Everyone Wants To Make A Difference.

Cancer effects so many at so many levels. The Soup-R-Sweet Social is your opportunity to say that you understand or have been effected.

THIS SATURDAY - March 16th from 5:30 to 8 PM (FOR ONLY \$5 + a non-perishable food item) you can show your support for the fight against cancer.

Your donated food item will go to the community pantry run by Catholic Char...[See More](#)

Share

Diana Potter, Janis Catako Barnett, Jim Dodson and 5 others like this.

Misty Mead Hinson Where is this being held? Would have been good to know about this a little sooner?
March 15 at 6:41am via mobile

Concerned Citizens For A Better High Springs The Soup-R-Sweet Event is being held at the Women's Club in High Springs. The information and request to pass this information along was provided to us on Thursday. Hope your plans are flexible enough to make it and support these community groups.
March 15 at 10:13am

Concerned Citizens For A Better High Springs
February 6

Heather McCall Caballero posted this and we also wanted to share this information with the community. He was a very good public servant and will be missed.

Sgt Chuck Harper lost his fight with cancer this evening. For those of you who may not know him, Sgt Harper was the HSPD officer who responded to the shooting at our school. He has fought a long hard battle and I ask that you pray for the family he has left behind

Share

6 1 3

Concerned Citizens For A Better High Springs
December 14, 2012

Christmas Party for Employees (29 photos)
Old School House first event, Dec. 14, 2012



Search for people, places and things

Concerned Citizens For A Better High Springs

November 27, 2012



Poe Springs Home

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Mary Scott, Lynn Jamison and 2 others like this.



Concerned Citizens For A Better High Springs
February 13

Is this for real? Ever think what you are being offered is a scam? Retired Alachua County Sheriff's officer Joe Pine will hold a class, here in High Springs, to help citizens of all ages learn how to avoid scams, identity theft and other fraudulent criminal activity. The class will be held at the Masonic Lodge on SATURDAY February 16th @ 6 PM. The Masonic Lodge is the brick building on 1st Avenue near NW 5th Street. There is no charge for this crime & fraud prevention seminar.

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3 3 2



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Share

2 3 1



Concerned Citizens For A Better High Springs
December 11 2012

A quick update with some Community Information:

For the first time since the Youth Center closed, these halls will be filled with folks at the Holiday Appreciation Dinner for City Employees - this Friday! If you have volunteered to help... See More



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7



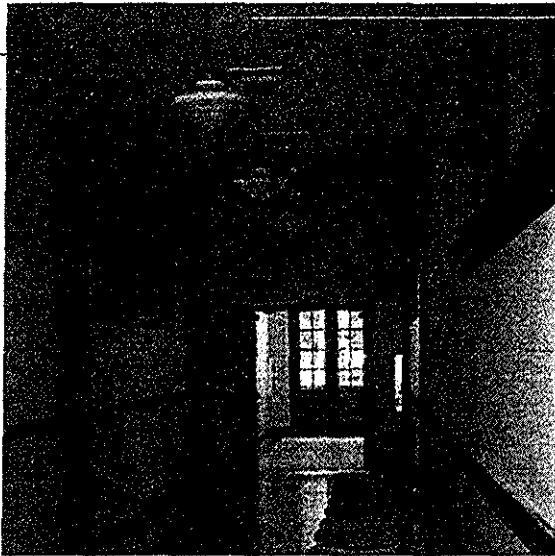
Concerned Citizens For A Better High Springs
December 10, 2012

Please excuse an earlier posting today that was a commercial advertisement. Our Facebook account was hacked. :(

Share

2





Share

10 2 1

A holiday gathering for City Employees & Families is being planned for December 14th. If you would like to know more, help out or show your support in some way there is more information posted below. You can also email us at HSCitizens@Gmail.com.

Dear Better Citizens supporters,

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Holiday Gathering!

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4 1

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yeago

bba

Mail

Move to inbox

More

2 of about 26

COMPOSE

Re: Concerned Citizens for a Better High Springs

Inbox x

Inbox (173)

Sharon Yeago <sharon@yeago.net>
to me John, Bob Linda

12/7/12

Starred

Important

Bob if you are interested in publicly supporting our values, you should follow the instructions outlined in every publication, press release or article that has been written or distributed to date. These are readily available on Facebook, Alachua Today and the Observer

Chats

Sent Mail

Drafts (24)

Please let me know if you need another copy of these materials. We can share with your our Guiding Principles Recommendations etc.

CRA

As you also know by reviewing our supporters list previously submitted we already have three commissioners who support our values. Therefore, attendance at our meetings could become problematic and I would recommend legal advice on that issue

Get Back

Priority

Trojano

I am traveling and have not had access to my computer (I'm using a guest services computer right now during my lunch break at a conference in Jax) which is why the delay in my response to you

More

I look forward to your response. I return to High Springs this evening and can forward you any materials you require at that time

Take care Sharon

On Thu, Dec 6, 2012 at 1:04 PM Bob Barnas <bbarnas@highsprings.us> wrote:
> Sharon
>

> So how does someone say someone like me become a member? Is there an

91120 NW 132ND LN
C 352 256-8115
D 386-418-8017

1. **Concerned Citizens For A Better High Springs** shared a status.

November 6, 2012

Let's GET OUT THE VOTE! Concerned Citizens volunteers will be offering rides to the polls. Anyone needing a ride to vote should contact coordinator Sandi Gardner at 352-339-4345.

Top of Form

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- 3 people like this.

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- 2.

Concerned Citizens For A Better High Springs

November 6, 2012

Let's GET OUT THE VOTE! Concerned Citizens volunteers will be offering rides to the polls. Anyone needing a ride to vote should contact coordinator Sandi Gardner at 352-339-4345.

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Local

High Springs residents rally to form grassroots group

Details Published on Monday, 08 October 2012 19:32 Written by C.M WALKER Hits: 316



[0 Comments](#)



Concerned Citizens for a Better High Springs hosted a lunch for City employees on the heels of a 6.07 percent pay cut.

HIGH SPRINGS – Members of the newly-formed group, “Concerned Citizens for a Better High Springs” (CCBHS), delivered lunch on Wednesday, Oct. 3, for City of High Springs employees affected by the recent 6.07 percent salary cut to all non-union City employees.

“We want to encourage our City employees to hang in there by providing support in a meaningful way,” said CCBHS Publicity Chair Sharon Yeago. “Our employees are taking a financial hit for the benefit of the city. We want them to know how much we appreciate their efforts and supplying lunch is one small way we can help relieve one burden, the financial responsibility of lunch, and show our appreciation,” said Yeago.

The group, which has grown to more than 150 members in fewer than five days, was “formed to support good policy decisions in our government,” said CCBHS Steering Committee Chair and High Springs resident John Manley. Other members of the Steering Committee include local residents Becky Johnson, Bob Jones and Linda Jones.

Both Yeago and Manley are proud that they were able to attract so many citizens interested in supporting good policy decisions by city government in such a short time using Facebook, email and personal outreach.

“We are a nonpolitical, nonpartisan organization,” explained Yeago. The group has already created a mission statement and guiding principles, which are all listed on the organization’s Facebook page. The group’s mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs’ reputation as a fair and open government that is inclusive, open and fair.

Steering and Events committees have been established by the group,” said Yeago. One of the first actions of the Events Committee is the provision of Wednesday’s lunch for non-union city employees. Events Committee members include Ed MacKinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb.

"This citizens group came together out of a deep concern and love for the city of High Springs. This city is at a crossroads," Manley said. "We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the citizens can get behind and work to make happen," explained Manley.

"We are encouraging citizen participation in deciding the direction of our city," said Yeago. "This is a group to help our government consider policy decisions that make our city viable," she said. "Our group has no political agenda. We just want to help the city make the best decisions they can for our citizens and the future of High Springs," she said.

Yeago explained further, "Our agenda is based on good policy and we will be making what we consider to be good policy recommendations on an ongoing basis. Good policy transcends politics. It's not about who happens to be in the office at the moment. It's about how our government serves its citizens now and in the future."

"What we're trying to do is develop solutions for what we feel are the problems we now have," Manley said. "We are a strategic group, not a political group," he insisted. "Politics is not a part of what we're doing. We want to contribute solutions and encourage other citizens to get involved to help do the same," he said.

"We have problems that may take 5 or 10 years... or possibly more, to solve. Previous commissions made decisions under different economic conditions than we have today. Perhaps we have to look at earlier decisions in a different light given our current economic condition. We want a city that is professional and well run," he said. "We just want to participate in the process."

Anyone interested in more information about Concerned Citizens for a Better High Springs may locate their website on Facebook or contact a member of the organization.

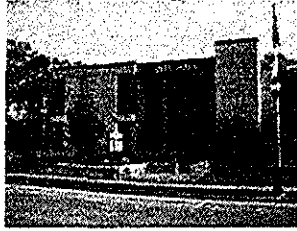
#

email Cwalker@alachuatoday.com

Citizen Group Forms In High Springs

Staff Reporter

• Mon, Oct 01, 2012



A group of local citizens has formed Concerned Citizens for a Better High Springs in an effort to effect good policy decisions by local government. This newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials, utilizing existing governance structures and creating new policies to improve the wellbeing of the City of High Springs.

According to local resident, John P. Manley, III, one of the initial organizers of the group, "We hope to put before the Citizens of High Springs a series of goals for the management and administration of the City to return it to a balanced, financially viable operation. Additionally, we wish to promote the City Administration as a pro-active catalyst for serving the people and move the City to reach its highest and best potential. We wish to create an environment of appreciation and initiative that works to rebuild the once strong morale amongst the City Staff so they can continue to serve the Citizens with the distinction for friendliness and service they have always had. Finally, we wish to incorporate those near term goals for stabilizing the City into a component of a broader landscape that paints a future picture of the City that all the townspeople can embrace; and work together to accomplish. We want our town to be the kind of town that our children hope to remain in to start their families and raise their children."

The group's mission statement reads, "Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future."

The group developed four Guiding Principles that it is using to educate the community and will offer policy recommendations on these issues:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs is looking for local residents, business owners and others invested in and supportive of its goals. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at www.tinyurl.com/bosjqm3.

Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again;

b) Brick-&-Mortar - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

THEREFORE, WE BELIEVE: Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better be used to preserve the City's infrastructure.

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla Stat Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>

Concerned Citizens For A Better High Springs
October 31, 2012

Check out this week's Alachua Today for an important message from us! Thanks SO MUCH for your support!

Concerned Citizens For A Better High Springs

November 8, 2012

You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building.

We are still focused on our Guiding Principles. If you would like a copy or to be added to the... See More

CONCERNED CITIZENS FOR BETTER HIGH SPRINGS

*... government with a commission and professional management
... leadership, accountability and a vision for our future.*

JOIN US!



High Springs residents must send message to commission



WEDNESDAY 17 OCTOBER 2012 21:36 ALACHUA COUNTY TODAY

Expanded media coverage on the City of High Springs has intensified in

recent days. But the issues plaguing High Springs didn't just happen overnight. This speaks to the monumental failures since the November 2011 election when Bob Barnas and Linda Gestrin assumed positions on the city commission, joining Dean Davis in what will surely be remembered as the single most destructive commission in the city's history.

Although Mayor Dean Davis refuses to publically acknowledge the truth, a rational and forthright person would likely agree with the city's own insurance agent. That is, liability insurance premiums jumping from \$13,754 to more than \$120,000 is the result of insurance underwriters predicting new lawsuits are imminent. And while Vice Mayor Bob Barnas would have the public believe the steep increase is based on irresponsible actions by previous administrations, the facts speak otherwise. Imminent lawsuits do not speak to actions by a previous administration. Imminent lawsuits can be placed squarely on the doorstep of the current administration, and most appropriately at the feet of Davis, Barnas and Gestrin.

And while Davis has been busily whistling the theme song to the Andy Griffith Show, the City of High Springs has been slammed with two lawsuits in recent weeks. The more Davis talks, the more unglued from reality he seems to be. As he recently explained, the increasing insurance cost isn't because of the actions of the current commission, but those of past commissions. The two most recent lawsuits are precisely the result of the current commission. Even so, just how far back would Davis like to shift the blame? He is, after all, in the final year of his three-year term.

He is perhaps partially correct in that past commissions are somewhat responsible for the condition in which High Springs finds itself today. Consider that the gestation period for an elephant is about 22 months. That's just about how long ago it was that Davis and other commissioners set the City on its current path when they sent then City Manager Jim Drumm packing. Today, Davis looks much like the emperor with no clothes. He is among few others in High Springs who don't see the giant elephant in the room - that firing your city manager and paying him six-months salary to walk just so the commission can meddle in the administrative matters is no way to run a city. With such a gargantuan issue continuing to loom over this commission, it's no wonder there's little room for reason and logic.

Still, the bulk of the blame for the condition of High Springs today falls squarely on the shoulders of the current commission. Over the last year, this commission has turned the City of High Springs upside down. Time and time again, this commission has shown the world that it really is possible to spend the city into oblivion. From the Poe Springs takeover farce to the ongoing fiscally disastrous police dispatch center, from employee firings via budget manipulation to an irresponsible campaign supporter hiring, Mayor Davis, Vice Mayor Barnas and Commissioner Gestrin have turned the commission into a virtual pigsty of issues that will continue to plague the city long after a wiser electorate has sent them packing.

This trio of ineptitude has created a mess that future commissions will be cleaning for years to come, and for which residents will be paying. And for all his finger pointing at others, Barnas apparently suffers a disconnect between his heavy handed actions and those he accused of doing the same. As Davis, Barnas and Gestrin wallow in the mess they've created, Commissioners Sue Weller and Scott Jamison are stuck doing damage control. These two reasonable commissioners can only hope to slow the downward spiral created now that the other three have driven the city over the fiscal cliff.

To be quite clear, Davis, Barnas and Gestrin will all be leaving a lasting legacy on High Springs - a legacy of bringing the City to its knees and taking it to its worst condition in history. This gang of three has been bent on seeking retribution against city employees, re-establishing a city-operated police

dispatch center and chasing pipe dreams. All of this when it should have been planning for the city's aging water system, an underfunded wastewater system, and tending to serious fiscal issues facing the city.

But this set of circumstances wasn't created this week. These are matters with which *Alachua County Today* readers are all-too-familiar. A simple perusal of headlines topping this newspaper over the last two years would paint a startling and disturbing picture of a city in peril - one that has culminated in the absolute failure of the High Springs commission and a leadership black hole that is destroying any semblance of responsible governance.

over →

continued from front

In reality, unfortunately this isn't a television show that in the span of 30 minutes solves all its issues. This is a real city, with real residents and employees. This is a place where commission action has real consequences. And sadly, the people left holding the bag will not be the current commission, but the residents who will foot not only the financial burden, but the task of stabilizing and rebuilding the city's workforce and reputation as well.

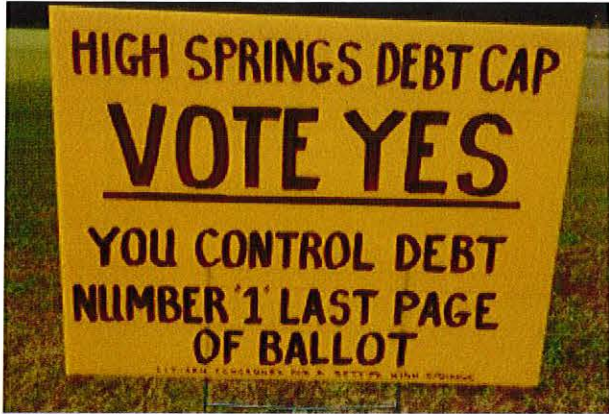
But even in this bastion of slipshod governance where many decisions are based on cronyism and retribution rather than sound policy and good leadership, there are several rays of hope, one being the upcoming city commission election, and the other being the grassroots group, Concerned Citizens for a Better High Springs. The future of High Springs is in the hands of its residents who must step up and make informed decisions in the coming days. Whether these decisions are at the ballot box or through public participation with civic minded individuals seeking to restore High Springs government to a sound footing, it has never been more imperative that residents take a stand. The future of High Springs hangs in the balance.

**THE CURRENT COMMISSION HAS ACTED ON
IMPULSE AND PUT THIS CITY IN PERIL. PAT
RUSH PROMISES MORE OF THE SAME.
BYRAN, SUE AND SCOTT CAN SAVE THE DAY.**

**VOTE FOR
BYRAN
WILLIAMS
HIGH SPRINGS CITY COMMISSION**

**VOTE
NO
FOR THE
CHARTER AMENDMENT**

Political Advertisement Paid for and Approved by Byron Williams for High



Yes 7



HIGH SPRINGS DEBT CAP
VOTE YES

YOU CONTROL DEBT
NUMBER 1 LAST PAGE
OF BALLOT

Year 7

CONTROL DE ER'1LAST PA OF BALLOT

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Yearso Er7

NER

Yeago et al

FrontPage Faith Cell Towers

Meeting update and more



all pages updated
4/3/2013 6PM

STARTING
TOMORROW I WILL
BE LOOKING BACK
AT THE LAST YEAR.
THE LAWSUITS, WHO
FILED THEM AND
WHY. THE THE ETHIC
COMPLAINTS AND
THE LETTERS THAT
HAVE GONE BACK
AND FORTH WITH
THE FLORIDA BAR
FEC AND THE
COMPLAINANTS.
THE PAST ETHIC
COMPLAINTS AND
THE ONES THAT ARE
OUT THERE NOW.
WHOS CONNECTED
TO WHO IN THESE
FILING. AND MOST
OF ALL THE TRUTH
AND THE LIES.
YOU WON'T WANT
TO MISS THIS

More truth about
the fine Larry
Travis received.
Want to read it.

[click here](#)

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

Time to reveal letters with some of the most revealing truths and lies. The Truth must be told and it will. I feel these letters and records will be a understanding that much that has been written was false and misleading. How much has NOT been reproted. Buckle up...

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out...

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars.....I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show.
The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork has been sent to the Florida Election Commission. We will see what they say. We will see if there is a major violation of election law to be revealed.



This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall public record of city business retained. And I admit I am the typo King..
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Front Page Faith

Meeting update and more



It is Easter. Resurrection of Jesus Christ. And much can be learned about this if you only took the time to understand and believe.
It is time for a resurrection of High Springs.

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

all pages updated
3/31/13 2PM

I feel a turning of the tide. The newspapers need to rethink what they write. Truths must be told do the right thing, and they just might survive. If not, I feel there will be a understanding that much that has been written was false and misleading. Many are turning away from the press and I believe one will die and not be resurrected.

"People are very inclined to set moral standards for others "
Elizabeth Drew

I sense a shift in the force. Some Commissioners may now be understanding the lack of professionalism in the city was not just that of the city manager fiasco that I was part of, it goes back farther and still infects us. Communication and records issues continue.

"Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others."
Jacob M. Braude

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out....

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Next class for Sunshine rules and regulations for commissioners (Jamison) that have not attended is this summer Why has he not attended?

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show.
The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork dated April 1st, (for a reason) will go in the mail.



This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall public record of city business retained. And I admit I am the typo King..

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It is Easter. Resurrection of Jesus Christ. And much can be learned about this if you only took the time to understand and believe.
It is time for a resurrection of High Springs.

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

all pages updated
3/31/13 11PM

I feel a turning of the tide. The newspapers need to rethink what they write. Truths must be told do the right thing, and they just might survive. If not, I feel there will be a understanding that much that has been written was false and misleading. Many are turning away from the press and I believe one will die and not be resurrected.

Freind Post posts a letter. A step in setting the record straight.

I sense a shift in the force. Some Commissioners may now be understanding the lack of professionalism in the city was not just that of the city manager fiasco that I was part of, it goes back farther and still infects us. Communication and records issues continue.

READ THE TRUTH

[click here](#)

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out...

More truth about the fine Larry Travis received. Want to read it

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars.....I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

[click here](#)

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show.
The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork dated April 1st, (for a reason) will go in the mail.



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Front page Faith Spring cleanup

Meeting update and more



updated
3/28/13 10:30PM

"People are very inclined to set moral standards for others."
Elizabeth Drew

"Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others."
Jacob M Braude

Does anyone understand what an olive branch means?

Tonight I pulled back and offered it again. I waited for a few people to step up to the microphone and say "I'm sorry". Or come up to me and say it to my face.

That did not happen from the ones that really needed to do it.

So guess what?

It goes in the mail tomorrow...
To the Florida Election Commission.

You just can't make this cockamamie stuff up.



Then there was this Manley crying that he was being picked on. He just doesn't get it. Does not understand why he won the award last week.

Neverwill...

And finally, the only thing Jamison has done this year is to bring forward a "behavioral control" agenda item...that fizzled. Made him look foolish. Listen to him on the audio at the city website. He did the backstroke. Last week he wanted censure, and penalties. This week just one sentence in the rules. Fizzle, fizzle and poof.
Even Byran say it as a stupid idea.

And finally, Byran Williams said this..."I am not a member of the Concerned Citizens for a Better High Springs". Seem they (CCFBHS) made another of those freedom of speech lie in posting his name all over the place.

Then there is the \$400 fine against Larry Travis for violating Election Law. I was gonna talk about it, but he wasn't there. So I gave the documents to the Alachua Today. Wonder if they will do a story on taking cash donation he should not have. Just sayin...what fair is fair.

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Front Page Faith Spring Cleanup

Breaking News



updated
3/26/13 12:30AM
"People are very
inclined to set
moral standards for
others."
Elizabeth Drew

"Consider how
hard it is to change
yourself and you'll
understand what
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Jacob M. Braude

I was given a gift. Clear the pages..my new mission begins.

First of all understand there is a difference between non partisan and non political.
Read the Our Town article by Larry Benike where he calls CCFBHS non partisan.

For several months I have been putting together information and documents on something.

Was almost where I needed to be last meeting but the audio system did not record what Linda Jones said. And the minutes that we have from that meeting did not accurately say what she said fully. So I was going to do something this Thursday to correct our minutes.

But March 25th, 2013 about 7PM tonight Linda Jones posted her words exactly as she said them and more on facebook.

Thank you Linda..for the gift.
My folder is complete and next I will.....

You just can't make this cockamamie stuff up.



OK, here is a cut and paste from the Facebook page of CCFBHS after Gene Levine posted a political comment..the admin for CCFBHS person posted this.

"Concerned Citizens For A Better High Springs This group will not be addressing political campaign issues. Those are for other groups. We are nonpartisan and nonpolitical and will only be focused on policy recommendations to move High Springs forward."
September 28, 2012 at 9:45pm and one like by Donna Mogler.

So whos the liar now? Jones or the person that posted this 9/28/12 post?
Who defines policy or politics?
Just askin?

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Front Page Faith Funny Facts

UPDATE AND MORE

updated 5/21/2013 10:00PM



WHAT NEXT FOR HIGH SPRINGS

LAST YEAR A COMMISSION UNDER MAYOR DEAN DAVIS HELD WHAT MIGHT BE CALLED THE RECORD YEAR FOR MEETINGS AND WORKSHOPS. AND BECAUSE OF IT MUCH WAS ACCOMPLISHED. WE FINISHED A FIRE STATION. WE BROUGHT BACK DISPATCH AND NOW HAVE WHAT I FEEL IS THE BEST SMALL DISPATCH IN THE STATE OF FLORIDA. WE MADE A BIG MISTAKE IN THE MANAGEMENT OF THE CITY BUT REALIZED IT AND FIXED IT. WE FINISHED (KIND OF) THE OLD SCHOOL PROJECT. WE ENDED THE MONEY PIT OF A SEWER PROJECT, AND WE BROUGHT IN A GOOD ENGINEER FIRM.

THE YEAR UNDER MAYOR DAVIS ACCOMPLISHED MUCH, BUT IT ALSO BROUGHT OUT ETHICS COMPLAINTS, LAWSUITS, LIARS, WITCHES AND MORE HATE THAN I EVER THOUGHT POSSIBLE. NEWSPAPERS BECAME DIRTY TABLOIDS.

A GROUP OF CONCERNED GRASS ROOTS CITIZENS SAID THEY WERE CONCERNED AND HELD THEIR POLITICAL MEETINGS AND TALKED THE GOOD TALK IN PUBLIC, WHILE PLOTTING TO WIN AN ELECTION IN THE BACK ROOMS.....

THEN AN ELECTION, AND THE CITY WAS TURNED OVER TO A NEW LEADER.

CHEERS WERE HEARD BY THE CONCERNED CITIZENS.

AND THEN THE NEW COMMISSION WAS PUT IN PLACE.

MORE ETHICS COMPLAINTS HAVE FOLLOWED, SOME WITH A VALID POINT AND SOME JUST TO MAKE A POINT. PEOPLE (the average ones) HAVE STOPPED READING THE TABLOIDS AND ATTENDANCE OF MEETINGS IS DOWN.

WHERE WE GO FROM HERE IN THIS TOWN OF COCKAMAMIE WILL BE INTERESTING. WILL WE FOCUS ON A FUTURE FOR HIGH SPRINGS OR JUST THE NEXT ELECTION?

TELLING LIES, PRINTING FALSE STORIES, POLITICAL GURUING, TRUSTING BACK STABBERS, TRAITORS AND LISTENING TO LEGAL EAGLE COCKAMAMIE RHETORIC IS NOT WORKING AND IT IS TAKING A TOLL ON THE SO CALLED "CONCERNED".

BEING IN THE MINORITY HAS BEEN INTERESTING. SITTING BACK AND WATCHING. WHAT I HAVE SEEN IS THAT TELLING THE TRUTH AND BEING CONCERNED AND WALKING THE WALK FOR THE "REAL" PEOPLE OF HIGH SPRINGS IS WINNING.

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Front Page Faith Cell Towers

Meeting update and more

updated 4/4/2013 6:30PM



STARTING TOMORROW ETHIC COMPLAINTS.
THE ONES THAT ARE OUT THERE NOW. WHOS CONNECTED TO WHO IN THESE FILINGS. AND MOST OF ALL THE TRUTH AND THE LIES.
YOU WON T WANT TO MISS THIS.

Mogler closed on downtown building 4/2/13 sold for \$164,000.00.

Was it all about the noise?

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

Many of you have read in the papers there was a lawsuit filed against the City of High Springs concerning the Ballot issue to limit debt.

This is true. It was filed by Ross Ambrose and by his attorney Linda Rice Chapman.

It was heard by Judge Griffis. He told both sides to request a trial. Some how neither side did what the judge said.

Then there was a compromise and an offer to render the ballot issue "ab initio" was made. The Juge accepted the city offer. He also denied attorney fees to Linda Rice Chapman. His ruling was made on October 31, 2012 in a 15 page document. It gives both sides some wins and some losses. But on page 14 it says this, "The City Commission Motion to Dismiss is granted in part and denied in part. Plaintiff has pled for declaratory relief, based on alternative theories of the City Commission's violation of Section 286.022 and 166.041, Florida Statutes. The facts and alternative theories are co mingled. Therefore, the claims for relief based on Section 286.011 are dismissed with prejudice. As to the remaining claims, the City Commission shall file an Answer to the Complaint within (10) days from the date of this order.

This ruling would give back Ross Ambrose his filing fees. But it would not give Linda Rice Chapman a dime.....because it says, "with prejudice"...

Both sides filed answers and motions and in court the Judge asked why they did not set for trial. He was not happy. No one had a good answer, and Paul Regensdorf was now in the mix.

Since this ruling the Judge reaffirmed his "with prejudice" ruling. No money for Chapman.

Now Paul Regensdorf took charge. And Linda Chapman is now saying she is not involved. It seems Paul Regensdorf is asking for money only. It seems he is asking for money for Linda Chapman. Remember he stated at a meeting he would get involved "pro bono". Really.

So now you have most of the truth of the story. But here is more.

The attorney representing the city is Linda Edwards. Now remember the Judge ruled on October 31, 2012. Well here is the twist. On November 1, 2012 (the very next day) Linda Chapman sends a letter to the CITY attorney (going around the insurance attorney Linda Edwards) and asks for money. She completely ignores the Judges ruling. She does not ask Linda Edwards to communicate with Mr. Walker. This is not good.

This is so not good, There is an email from Linda Edwards TO Linda Chapman telling her it is not good....I have asked for this email....

So please click on the link below and read the letter Linda Chapman sent to our City Attorney Scott Walker and what she said about Linda Edwards. After the Judge ruled the day before "with prejudice", she is now doing an end around to Walker, throwing Linda Edwards under the bus, and asking for \$24,331.35 and more money from three commissioners.

Remember the Judge just told her it was over. Done, finished and goodbye.

Scott Walker replied the next day and said to her, "In response to your offer of settlement, please provide the authority on which you rely for Mr. Ambrose's claim for attorney's fees. I would note, the Court dismissed, with prejudice.

All seemed over, until Paul Regensdorf has filed an appeal. An appeal that again is by him according to Linda Chapman in a letter sent to the Florida Bar.

So why is this being appealed by an attorney who is pro bono? Why did Linda Chapman pull out? Why did Linda Chapman try to go around Linda Edwards?

This is the truth of where this lawsuit is right now. But the big question I keep asking the commission is, "what about the 1801 votes"? What can we do to tell those voters what has happened to their vote?

So who won? No one... You can't make this cockamamie stuff up.
And when I maybe get that email from Linda Edwards... or
Maybe Linda Chapman will give it to the Alaichua Today to publish. :).

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Front Page | **Fall** | Spring Cleanup

Breaking News



I was given a gift. Clear the pages...my new mission begins.

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But March 25th, 2013 about 7PM tonight Linda Jones posted her words exactly as she said them and more on facebook.

Thank you Linda...for the gift.
My folder is complete and next I will.....

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updated
3/25/13 10:30PM
"People are very inclined to set moral standards for others."

Elizabeth Drew

'Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others.'
Jacob M. Braude

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Front Page Faith Spring Cleanup

Meeting update and more



updated
3/29/13 7:45PM

"People are very inclined to set moral standards for others."

Elizabeth Drew

"Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others."

Jacob M. Braude

Next class for Sunshine rules and regulations for commissioners (Jamison) that have not attended is this summer. Why has he not attended?

Does anyone understand what an olive branch means?

Last night I pulled back and offered it again. I waited for a few people to step up to the microphone and say "I'm sorry". Or come up to me and say it to my face.

That did not happen from the ones that really needed to do it.

Complaint from Bob Barnas the citizen is complete, but did not make today's mail. So the Florida Election Commission won't get it till next week.

Here is a note when a complaint is filed with them.

Within five working days of receiving the complaint, the Commission will mail a copy of the complaint to the person (or persons) named in the complaint. The Commission will also notify the person named whether the Commission will investigate the complaint and what sections of law it will investigate. See Section 106.25(2) Florida Statutes.

So in about a week those named will hear from the FEC.

This one could get real expensive....

Lets see if I am right or wrong. I was right about Larry Travis violating election law..

You just can't make this cockamamie stuff up.



This one still makes me wonder.... Byran Williams said this..."I am not a member of the Concerned Citizens for a Better High Springs". "Did not attend one meeting". So that leaves two commissioners who may have attended meeting together to amke the CCFBHS manifesto....that opposed the debt limit referendum. hmmm?

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Front Page Faith

High Springs News

Updated 11/17/2013 6:00PM



THIS WEBSITE HAS PROVIDED A SOURCE OF INFORMATION AND REBUTTAL FOR MANY THINGS IN HIGH SPRINGS. SOME GOOD, SOME BAD AND CERTAINLY A LOT OF UGLY. I HAVE A NEW PLAN AND THE WEBSITE AS IT WAS IS NOT IN IT. BUT, "I" AM NOT GOING AWAY.....

Over the last two years many things have been said at commission meetings by commissioners, charter officers and staff. Many times the commission took votes telling management to do something. Or to get something done.

I have been working a a list of all the things that management said "Ok, got it" to.

Not just the current management but previous ones that said they would do things.

I have a goals page that was suppose to be followed up on.

My energy will shift from this website to asking, "what happened to", at meetings?

It will be making sure we are fully informed commissioners.

And I will be making some interesting proposals at all the upcoming commission and CRA meetings. Oh, was the Commission at the last meeting suppose to appoint a CRA chair?

So say goodbye to this website for now. But remember, I will have the domain to use if need arises.

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Front Page

False

High Springs News

Updated 11/17/2013 8:00AM (correction)



**HIGH SPRINGS HAS A THREE DAY WORK WEEK LAST WEEK.
IS THAT GOOD FOR TAXPAYERS AND RESIDENT?
ARE WE MAKING THE REVENUE WE SHOULD?**

As we now start a new year of the High Springs Commission we have a New Mayor.

Byran Williams was voted in. And Sue Weller is now Vice Mayor.
With all the talk of love and make up, no nominations for Barnas or Gestrin. Nothing has changed.
It only took Jamison a millisecond to nominate Sue Weller for Mayor.
That failed 4-1. Why?

Then an immediate motion for Byran.
Vote was 5-0. Get ready to watch the "groundhogs day" meetings of the past.

Two things have come to light at the past meeting.

1. CSX is taking up the rail tracks. Done deal. But a letter went to the Chamber and not City Hall. Why?
Tom Weller says (correction 11/17.....someone) had that letter and backup information in hand as of Oct 28 or 29.
So why keep it from the public? Why consider disposing of it?
Maybe cause it would have become an election issue if it came out? We'll never know.

2. There was a lawsuit filed against the City of High Springs by Brian Prichard for the treatment he received by former City Police Chief Jim Troiano. It was going thru the system and again, it settled for money before the election. It was an amount near \$50,000.00, paid out by insurance. But it never made the Alachua Today tabloid, it was never mentioned at ANY city meetings. and I am still wonder how they settled (the insurance attorney) without telling the City Commission.
I find it odd.

Two major issues somehow held from the public till AFTER the election.

The 4 day work week has gotten mixed reviews. It was only suppose to be a trial period of 30 days. Opps again.
Then we were suppose to have a financial report of the revenue generated for the new 3-4 day work week. Opps again.

I will be asking for it for the next meeting.

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Front Page Faith

High Springs News

Updated 11/16/2013 8:00AM (Faith too)



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Front Page Faith

High Springs News

Updated 11/9/2013 9:00AM



CITY HALL CLOSED MONDAY VETERANS DAY

Election is over and in the last few posts I have made my point about the operation of the city.

At the swearing in meeting what I will do and say will be based on what takes place.

Enjoy the weekend and Veterans Day.

Remember Leda is having a ceremony at the Fire Station on Monday at 10AM.

Then the Kanapaha Veterans Day Ceremony at 10:30AM.

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Front Page Faith

High Springs News

Updated 11/8/2013 9:00AM



IS CITY HALL CLOSED FRIDAY AND MONDAY THIS VETERANS DAY WEEKEND?

THE MEETING IN LATE JUNE THE CITY MANAGER SAID FOR AROUND 30 DAYS.
GUESS HE FORGOT HE SAID THAT
AND DID HE HAVE THE AUTHORITY TO DO THAT?

Yesterday my opinion and comments where on keeping the full commission fully informed by the city manager and the city clerk. I said the charter required it. Well in part that is true. The city manager by charter is required to do that. The city clerk is not. That office function is all about records, incoming mail, documents and more.

I made the comment that those to people in those positions could care less if we are fully informed. They seem to have not liked that.

So let me again say in my opinion, while they feel they have lived up to the charter requirements and been doing their jobs, I still feel they have let ME down. So I am making sure anyone reading this knows that it is me that feels I am not fully informed by the city manager, and it is me that feels the city clerks office has let me down at times.

For along time I have said at meetings, in conversations and in email's, I want to be kept informed on issues of the city.

I truly feel in my opinion that I as a single commissioner I have not. That the policy and procedures of the past have stayed in place that do not keep me in the loop of being fully informed on city business, letters to the city requests through the clerks office of the city, new businesses coming into town and much more.

I will address this at the next commission meeting with my list.

This along with the things I talked about many times are my concerns for the people of High Springs.

PREVIOUS POST

WILL THE 4 DAY WEEK EVER BE REVIEWED PROPERLY?
WILL THERE BE INCREASES IN TAXES AND FEES AND MORE?

WE ALL WILL WAIT AND SEE. THE WAY I SEE IT HAPPENING IS THAT NOTHING IS GOING TO CHANGE AT CITY HALL.
BUT I DID SEE THE WRITING ON THE WALL FOR MOTIONS FOR HIGHER FEES AND TAXES...
SO DEPENDING HOW YOU SEE IT AS HALF EMPTY OR HALF FULL, YOU MAY LIKE THAT OR YOU WON'T.

I PERSONALLY THINK THE NASTYNESS WILL SUBSIDE. BUT NOT THE BAD MANAGEMENT OF THE CITY OR THE OR
THE SIDES TAKING SIDES AND CERTAINLY OUR POLITICAL AND ECONOMIC VIEWS WILL BE TESTED AGAIN.

So here is one question?

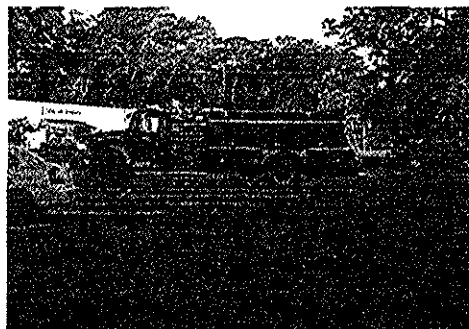
Why do we buy a armored vehicle for the city? Why did we at least not get asked? Or just TOLD we were buying one?

Why do I have to hear it on the street that we did? From people asking me "how much was that toy"?

Just one example for now.....

Last question..what do we have a city fire truck in the Winn Dixie parking lot empty?

Are we using it for grocery shopping?





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FrontPage Faith

High Springs News



Updated 11/7/2013 7:30PM

**ELECTION IS OVER AND SUE WELLER IS THE WINNER.
THE QUESTION NOW IS:
IS THE CITY OF HIGH SPRINGS A WINNER?**

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A DAY AFTER THE BATTLE ENDED I HAVE LOOKED AT THIS FROM EVERY ANGLE.

MY DISCUSSION WITH ED MCKINNON.

THE CHEAP SHOTS, AND THE CORDIAL COMMENTS.

I THEN SPENT THE DAY YESTERDAY REFLECTING AND ATTENDING TWO CATHOLIC CHURCH EVENTS.

SAT AT THE TABLE WITH THE BISHOP AND THREE PRIESTS.

WENT HOME AND THOUGHT AND PRAYED SOME MORE AND HAVE COME TO THIS CONCLUSION.

BOBBY SUMMERS TEAM WORKED HARD AND HAD THEY NOT, THE COUNT WOULD HAVE BEEN MUCH LESS.
THE WELLER TEAM DID THE SAME.

IT CAME DOWN TO SOME THAT SAID THEY WOULD VOTE BUT SAT HOME, SOME THAT SWITCHED SIDES AND FINALLY THOSE THAT JUST FELT IT DIDN'T MATTER WHO GETS IN, MY TAXES ARE LOWER THAN EVER, AND I STILL HAVE FIRE AND POLICE COVERAGE AND MY STREET NUMBER DOWNTOWN ARE OK.

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ENJOY SEMI RETIREMENT AND FAMILY. WE ALL KNOW THE HEAT THAT 3-4 SHARKS WOULD HAVE CREATED.

SO IN THE END I AM IN A REAL GOOD PLACE. BUT AS I SAY THAT, DO NOT, DO NOT THINK I WILL EVER LOWER MY GUARD. THAT I WILL NOT FIGHT THE FIGHTS I HAVE ALWAYS FOUGHT. I STILL HAVE DEVILS TO DEAL WITH HERE.

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AS I SAID IN THE PREVIOUS POST, AND OTHERS HAVE SAID, THE CITY IS IN THE HANDS OF THE SAME MAJORITY THAT HAS BEEN HERE FOR A YEAR. A CITY MANAGER AND CITY CLERK THAT HAVE FAILED BIG TIME IN MY OPINION ON KEEPING "FIVE" COMMISSIONERS FULLY INFORMED.
AND THEY KNOW (MIGHT NOT) THAT AND COULD (SEEM TOO) CARE LESS.

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One day hopefully the commission will get them.

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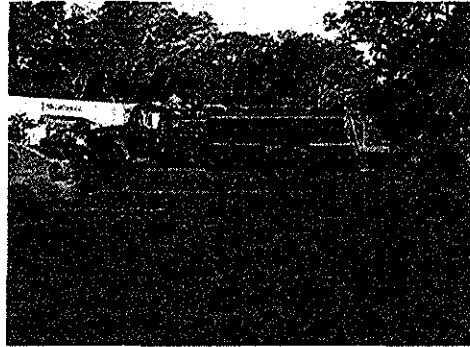
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Front Page Faith

High Springs News

Updated 11/7/2013 NOON



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Facts

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Front Page Faith

High Springs News

Updated 11/5/2013 9:00PM



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THE QUESTION NOW IS:

IS THE CITY OF HIGH SPRINGS A WINNER?

TONIGHT YOU WILL SEE SUE WELLER GO ON TV20 AND SAY THIS IS A SIGNAL THAT THE CITY IS BETTER.

THAT IT IS HAPPY WITH HAVING HAD HER FOR ONE YEAR AS THE MAYOR.

BUT JUST AS AMERICA IS DIVIDED DOWN THE MIDDLE, A VOTE IN HIGH SPRINGS THAT IS SEPARATED BY ONLY 30 OR SO VOTES, AND ONE SIDE GETTING 350 AND THE OTHER AROUND 325, THEN IS THAT A MANDATE? IS THAT A SIGN THAT 3565 REGISTERED VOTERS ARE HAPPY?

THIS LAST YEAR UNDER THE MAYORSHIP OF SUE WELLER THE CITY STARTED NOTHING NEW OTHER THAN A PUSH FOR AN ENTERTAINMENT DISTRICT.

AND WE GOT THAT 4 DAY WORK WEEK FOR THE EMPLOYEES.

BECAUSE THE ELECTION WAS COMING, TAXES WERE NOT RAISED AND FEES HELD CLOSE. WHAT WILL HAPPEN THIS YEAR? I GUESS WE WAIT AND SEE.

THE RESULT OF THIS ELECTION IS THAT NOTHING WILL CHANGE ON THE COMMISSION MAJORITY OR MAKE UP. NOTHING WILL CHANGE AT CITY HALL.

AND THE COMMENTS FROM SUE WELLER HUSBAND TO WILL NOT STOP. SHE NEEDS TO ASK HIM WHAT HE SAID TONIGHT AFTER HER VICTORY TONIGHT. YOU CAN'T MAKE THIS STUFF UP.

SUE WELLER HAS WON THE ELECTION. SHE WILL MOST LIKELY RETURN AS MAYOR. AND JAMISON AS VICE MAYOR. THE LAND DEVELOPMENT CODES WILL BE THE ONES FROM ZEPHYRHILLS, AND THE REQUIREMENT FOR PERMITS AND SUCH WILL CONTINUE THAT NOW REQUIRE EVEN A PART TIME LAWN CUTTING GUY TO GET A PERMIT.

WHILE SUE WELLER CAN SMELL THE SWEET SUCCESS OF VICTORY TONIGHT. SHE STILL HAS TOM TO PUT OUT FIRES FOR. SHE STILL HAS CITY INSURANCE ISSUES. SHE STILL HAS A EMPLOYEE UNION AND A POLICE UNION TO DEAL WITH. SHE WILL PUT FORTH A ENTERTAINMENT DISTRICT AND SHE WILL MOST LIKELY MESS WITH THE DISTANCE FROM SCHOOLS AND/OR CHURCHES FOR THE SALE OF ALCOHOL.

I COULD GO ON, BUT I'M TIRED.

BOBBY SUMMERS RAN A CLEAN RACE. HE CAN TAKE THAT TO SLEEP TONIGHT.

I LOOK FORWARD TO OUR FIRST MEETING TO SEE WHAT HAPPENS. TO SEE WHAT GETS DONE. WHAT REALLY GETS DONE. OR MORE TO THE POINT, WHAT REALLY DOESN'T GET DONE. AND WHERE THE TAXES AND FEES WILL BE IN THE COMING MONTHS.

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Front Page Faith

High Springs News

Updated 11/4/2013 6:00PM



TWAS THE NIGHT BEFORE THE ELECTION AND THE GLOVES CAME OFF
 SOME SUE WELLER SIGNS HIT THE STREET WITH NO DISCLAIMERS
 THEN MORE SIGNS "ABOUT" SUE WELLER VOTE POPPED UP TODAY
 YOU CAN'T MAKE THIS STUFF UP

A FEW DAYS AGO SOMEONE WHO APPARENTLY LIKES SUE WELLER, THOUGHT THEY WOULD DO HER A FAVOR
 AND PUT SOME "SPECIAL", "VOTE FOR SUE WELLER" SIGNS OUT.
 SIGN THAT HAVE NO DISCLAIMERS AS WE ALL THOUGHT REQUIRED BY LAW.

WELL THAT GIFT LIKE THE ONE THE CHAMBER GAVE HER, HAS TURNED INTO ANOTHER NIGHTMARE OF ISSUES
 FOR THE CITY AND MORE. FOR EVERY ACTION, THERE IS AN EQUAL AND OPPOSITE REACTION.

IMMEDIATELY THE REAL SUE WELLER SENT SOMETHING IN WRITING TO JENNY THAT SHE HAD NO IDEA THE
 PERSON OR CONCERNED PERSONS THAT PUT THEM OUT. AND FOR TWO DAYS THEY FELT A GOOD THING HAD
 HAPPENED. PROBLEM IS THIS OPENED THE DOOR FOR MORE SIGNS WITHOUT DISCLAIMERS.

TODAY THIS CREATED, "OH, WE ARE NOT HAPPY NOW" LOOKS TODAY ON THE CORNER DOWNTOWN.

SHARON YEAGO (OF THE CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS) SAYS TO ME, "BOB YOU HAVE NO
 DISCLAIMER ON YOUR SIGNS" I SAID, "NOT MINE" ..

SO TO MAKE IT CLEAR, THESE NEW SIGN SEEM TO REFLECT VOTES BY WELLER.
 1) TO OPPOSE PRAYER BEFORE MEETINGS.
 2) VOTES TO NOT LOWER TAXES KEEPING THEM HIGHER

NOW I DO NOT HAVE THE PICTURES OF THEM. I DIDN'T TAKE ONE. BUT MAYBE TOM WELLER CAN SEND THEM TO
 ME AND I CAN POST THEM, OR SEND THEM TO FRIENDS POST.

THEN WE ALSO HAVE THE PROBLEM THAT OUR CITY MANAGER AND CODES GUY ARE NOT SURE WHAT IS GOING
 ON. SOME SIGNS COMING DOWN, SOME NOT. SOME RULES FOLLOWED AND OTHERS NOT.

BUT THIS IS WHAT HAPPENS WHEN BACKROOM DEALS HAPPEN, WHEN CITY HALL TAKES SIDES.
 JUST LIKE THE HIGH SPRINGS CHAMBER OF COMMERCE DID.

GUESS YOU CAN SAY WHAT GOES AROUND COMES AROUND.

STANDING ON ANOTHER CORNER WAS SUZIE CLARK, THE PERSON WHO THREW DIRT AND STRING ON THE
 COMMISSION DESK. ON ANOTHER CORNER WAS THE DONATORS TOM AND LINDA HEWLETT WHO GOT THE ROAD
 BEHIND CITY HALL CLOSED. AND NEVER FORGET LINDA HEWLETT IS MY RECIPIENT FOR TELLING THE BIGGEST
 WHOPPER OF A STORY TO THE ALACHUA (TABLOID) TODAY. THIS IS THE WELLER CABINET.

AND AS THE NIGHT OF SIGN HOLDING CAME TO AN END, SUE WELLER GOT A PERSONAL VISIT FROM HER BESTEST
 FRIEND THE LAWYER WHO SUED THE CITY MANY TIMESLINDA RICE CHAPMAN.
 FREINDS WILL BE FRIENDS.....

I HEAR CANDIDATE SUMMERS GOT A PARTY TO PUT A POST CARD IN THE MAIL.
 I HEAR HE WILL BE GETTING ROBO CALLS TO.

A FOOTNOTE: I WONDER IF THE CONCERNED PERSON WHO STARTED THE SIGN WARS
 STILL THINKS IT WAS A GOOD MOVE TO PUT OUT THOSE DISCLAIMERLESS SIGNS?
 WONDER IF THEY HAVE THE GUTS TO CLAIM RESPONSIBLIITY?

SEE YOU ALL TOMORROW AT THE POLLS.

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WHAT IS GOOD FOR ALL THE COMMUNITY.

IT IS NOW UP TO THE VOTERS NOW.

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High Springs News

Updated 11/2/2013 10:00pM



LAST DAYS OF THE ELECTION. SUE WELLER HAS ILLEGAL SIGNS OUT IN PLACES. NO DISCLAIMERS ON THEM. ADD TO THIS THE GIFT FROM THE CHAMBER OF A IN KIND DONATION FOR A FREE CAMPAIGN SPOT AT THE FALL FESTIVAL. THE CASH ERROR ON THE REPORT. THIS HAS BEEN THE WORST I HAVE SEEN OF A CANDIDATE IN YEARS. WONDER WHO THE CAMPAIGN ADVISOR IS?

THE NEWSPAPERS CAME OUT WITH THE USUAL LETTERS TO THE EDITOR.

SAME PEOPLE SUPPORTING THEIR CANDIDATE.

MAKE NO MISTAKE BELIEVING THAT THERE IS CHANGE TO A BETTER HIGH SPRINGS WITH COMPROMISE IN THE WIND. THE SAME DISLIKE FOR EACH OTHER IS STILL OUT THERE WITHIN THE CORE OF THE GROUPS ON EITHER SIDE.

A RECENT OFFER OF AN OLIVE BRANCH ONLY BROUGHT A QUESTION OF "WHO ME". NO COMPROMISE IN ANY LETTER TO THE EDITOR.

REGENSDORF IS STILL LOOKING FOR HIS POUND OF FLESH AND I EXPECT HIM TO GET EVEN MORE VEXATIOUS AND FRIVOLOUS IN THE FUTURE.

TODAY MYSTERY SUE WELLER SIGNS POPPED UP AROUND TOWN. RED, WHITE AND BLUE. SEEMS THE SUPERVISOR OF ELECTIONS WAS TOLD THAT SUE WELLER HAS NO KNOWLEDGE OF WHO MADE THEM AND PUT THEM OUT. THESE SIGNS HAVE NO DISCLAIMER AND ARE SERIOUSLY A VIOLATION OF ELECTION LAW IF THEY WERE HERS. THIS ADDED TO THE OTHER VIOLATION OF CASH ON HER REPORT WOULD SHOW ANOTHER DISREGARD FOR THE RULES.

SOMEONE SAID TO ME THAT SUE SHOULD STEP UP AND ASK THE CITY TO REMOVE THEM. THEN WE WAIT TO SEE WHO SHOWS UP TO CLAIM THEM AND GET THE PROPER DISCLAIMER. GOOD SUGGESTION.

THIS ELECTION IS NOW A WAIT TO SEE IF THERE IS GOING TO BE ANY LAST MINUTE MAILBOX STUFFING. AND LAST MINUTE INSULTS. GUESS WE JUST WAIT TO SEE.

BOBBY SUMMERS HAS TAKEN THE HIGH ROAD AND IS RUNNING ON HIS PLATFORM OF NOT MESSING WITH THE TAXES OR FEES.

SUE WELLER IS RUNNING ON A FOCUS OF DOWNTOWN GROWTH AND ENTERTAINMENT.

THIS YEAR IN MY EYES, BYRAN WILLIAMS FAILED AS A LEADER OF THE CRA WITH NO NEW IDEAS. HE ALSO TOOK NOT ONE STEP FORWARD ON HIS PROMISE OF A YOUTH COUNCIL. THIS FOLKS IS A BIG DISAPPOINTMENT. BUT YOU GET WHAT PAY FOR.....)

JAMISON DID NOTHING TO BRING FORWARD ONE NEW IDEA AT A COMMISSION MEETING. HE CONTINUED WITH HIS "HERE" WHILE ALL OTHERS COMMISSIONERS SAY "PRESENT" AT MEETINGS. THIS IS HIS TRADEMARK AND MOST LIKELY WILL BE HIS LEGACY IF HE KEEPS GOING DOWN THIS PATH.

THIS WAS THE YEAR OF THE WELLER COMMISSION. THIS WAS THE RESULT OF PUTTING IN PLACE THE ROAD BLOCK BEHIND CITY HALL AND MAKING HER SUPPORTERS HAPPY. MADE HE THE MAYOR, JAMISON THE VICE MAYOR AND "I LOVE HIGH SPRINGS" WILLIAMS THE CRA.

IF WELLER WINS, I FULLY EXPECT THIS TREND TO CONTINUE. AND I FULLY EXPECT THE SIDES TO BE THERE NOTHING WILL CHANGE AND THE CITY WILL SUFFER. BACKROOM MEETINGS WILL CONTINUE UNDER THE SHADOW OF RUNNING THE CITY. FORGET THE CHARTER THAT GIVES A MAYOR ONLY LITTLE AUTHORITY. ALCOHOL AND NOISE WILL COME TO THE DOWNTOWN AND SURROUNDING AREAS..AND GARBAGE WILL STILL BE IN CANS DOWNTOWN AND THE STREET WILL REMAIN DIRTY.

FOLKS, YOU ALL KNOW THIS IS THE FUTURE OF THE CITY FOR ANOTHER YEAR IF WELLER IS BACK IN OFFICE.

IF YOU BRING BOBBY SUMMERS IN. HE WILL BE A FRESH FACE OF TRUE VALUES OF A CHRISTIAN MAN AND DO
WHAT IS GOOD FOR ALL THE COMMUNITY

WHAT IS GOOD FOR ALL THE COMMUNITY..

IT IS NOW UP TO THE VOTERS NOW..

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FrontPage Faith

High Springs News

Updated 10/31/2013 7:00PM



FINAL DAYS OF THIS ELECTION

THE NEWSPAPERS CAME OUT WITH THE USUAL LETTERS TO THE EDITOR.

SAME PEOPLE SUPPORTING THEIR CANDIDATE.

MAKE NO MISTAKE BELIEVING THAT THERE IS CHANGE TO A BETTER HIGH SPRINGS WITH COMPROMISE IN THE WIND. THE SAME DISLIKE FOR EACH OTHER IS STILL OUT THERE WITHIN THE CORE OF THE GROUPS ON EITHER SIDE.

A RECENT OFFER OF AN OLIVE BRANCH ONLY BROUGHT A QUESTION OF "WHO ME". NO COMPROMISE IN ANY LETTER TO THE EDITOR.

REGENSDORF IS STILL LOOKING FOR HIS POUND OF FLESH AND I EXPECT HIM TO GET EVEN MORE VEXATIOUS AND FRIVOLOUS IN THE FUTURE.

TODAY MYSTERY SUE WELLER SIGNS POPPED UP AROUND TOWN. RED, WHITE AND BLUE. SEEMS THE SUPERVISOR OF ELECTIONS WAS TOLD THAT SUE WELLER HAS NO KNOWLEDGE OF WHO MADE THEM AND PUT THEM OUT. THESE SIGNS HAVE NO DISCLAIMER AND ARE SERIOUSLY A VIOLATION OF ELECTION LAW IF THEY WERE HERS. THIS ADDED TO THE OTHER VIOLATION OF CASH ON HER REPORT WOULD SHOW ANOTHER DISREGARD FOR THE RULES.

SOMEONE SAID TO ME THAT SUE SHOULD STEP UP AND ASK THE CITY TO REMOVE THEM. THEN WE WAIT TO SEE WHO SHOWS UP TO CLAIM THEM AND GET THE PROPER DISCLAIMER. GOOD SUGGESTION.

THIS ELECTION IS NOW A WAIT TO SEE IF THERE IS GOING TO BE ANY LAST MINUTE MAILBOX STUFFING. AND LAST MINUTE INSULTS. GUESS WE JUST WAIT TO SEE.

BOBBY SUMMERS HAS TAKEN THE HIGH ROAD AND IS RUNNING ON HIS PLATFORM OF NOT MESSING WITH THE TAXES OR FEES.

SUE WELLER IS RUNNING ON A FOCUS OF DOWNTOWN GROWTH AND ENTERTAINMENT.

THIS YEAR IN MY EYES, BYRAN WILLIAMS FAILED AS A LEADER OF THE CRA WITH NO NEW IDEAS. HE ALSO TOOK NOT ONE STEP FORWARD ON HIS PROMISE OF A YOUTH COUNCIL. THIS FOLKS IS A BIG DISAPPOINTMENT. BUT YOU GET WHAT PAY FOR.....)

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Front Page Faith

High Springs News

Updated 10/30/2013 10:00PM



RULING IN THE AMBROSE LAWSUIT

A lawsuit was filed by Ross Ambrose with attorney Linda Rice Chapman. The lawsuit was to block the \$1,000,000 debt limit charter amendment

The result was the voiding of 1801 votes only, and a filing fee to Mr. Ambrose.

Judge Griffis said OK, but no legal fees to anyone.

In stepped Paul Regensdorf.

Paul Regensdorf then said the commission violated and said the Commission violated meeting laws...filed a motion to rehear the case. Judge Griffis said no, again.

Paul Regensdorf didn't like that ruling, he then appealed the case to the 1st District Court in Tallahassee. It was attended by Paul Regensdorf, Lucie Regendorf, Linda Rice Chapman, Christian Popoli and Ross Ambrose. And myself....

A three Judge panel listened to both sides.

The three Judge panel did not waste time on this, and ruled "without an opinion" to deny any legal fees.

You can't make this stuff up.

[CLICK HERE FOR RULING](#)

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High Springs News



Updated 10/22/2013 11:00PM

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CANDIDATE NIGHT AT THE WOMENS CLUB

In case you missed it, and most likely you did, cause there were like 21 people supporting Bobby Summers and 20 supporting Sue Weller. Of course that is my count and if you asked Tom Weller you might get a different count.

Bottom line is it was just another night of the same 3 year old questions about the sewer, business, traffic and growth. Answered in the same political way with only a few exceptions.

Now, in questions from the audience, there were some big differences though.

When asked about serving alcohol near a church, Bobby Summers said the 500 foot distance is good. Sue Weller danced around a liquor store, bar and restaurant theme with a bar, but only had a concern for schools and not concerned about the distance from a "church".

When asked about taxes and fees, Bobby Summers said we need to control costs and try to cut taxes and hold the line on fees. Sue Weller just said she would "not" promise to never raise fees or taxes. What does that mean?

Sue Weller defended a charter government where staff is separated from commissioners, but then went on to explain how we should hire "professionals" like a city planner and recreation director. But the charter give that job to the city manager. Not the commission. We have zero input to the actual hire. Not our job to define professional, our is it now?

Anyway, nothing crazy except for a crazy question about Bob Barnas bringing back police dispatch by Jeri Langman. Which brought out big laughter from the crowd. You can't make this stuff up...

Bobby Summers had a theme. It was simple. "I want a Better High Springs".

Sue Weller had a theme. "Give me "another" year and I can make it better".

Which makes me ask of the Mayor, who has had a full year as Mayor, with her majority....."what did you do for us this year"?

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Updated 10/20/2013 4:00PM

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LET TALK ABOUT THE ELECTION LETTERS

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THE DIVIDE OF "US OR THEM". THAT MS. BECK SPEAKS OF HAS NOTHING TO DO WITH THE MAJORITY OF HIGH SPRINGS RESIDENTS. THEY ARE HAPPY. BUT, IT DOES ROOT IN A SMALL GROUP OF PEOPLE ON TWO SIDES JUST LIKE THE UNITED STATE GOVERNMENT THAT LIKES TO FLEX THEIR POWER, AND CONTROL WHAT GETS DONE. AND WHAT GETS PLACED AS LIES OR BAD INFORMATION IN THE NEWS.

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SO THE TRUTH IS, THERE HAS BEEN A VOTE BY THIS WELLER COMMISSION TO REWARD THE HEWLETT'S (BIG CAMPAIGN CONTRIBUTOR TO THE "THEM" COMMISSION) WITH A CLOSED ROAD BEHIND CITY HALL.

THIS WELLER COMMISSION HAS BEEN ASLEEP MOST OF THE YEAR.

THIS LAST YEAR ONLY ACCOMPLISHED TO DO NOTHING EXCEPT KEEP THE PAPERS QUIET.
CLOSE THE ROAD BEHIND CITY HALL.
SHUTDOWN OUR CITY HALL GOVERNMENT WITH A 4 DAY WORK WEEK.
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Front Page Faith

High Springs News

Updated 10/19/2013 3:00PM



SEEMS THERE IS A FLU IN HIGH SPRINGS
ONLY EFFECTING A FEW ATTORNEY'S
CALLED RECALCITRANT FLU

SYMPTOMS COME AND GO, BUT MOST COMMON IS BLUTTING OUT INSULTS AND NOT
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Updated 10/19/2013 3:00PM



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FrontPage Faith

High Springs News

Updated 10/15/2013 5:00PM



TODAY AT 9:00 A.M., TUESDAY, OCTOBER 15, 2013
COURTROOM TWO, FIRST DISTRICT COURT OF APPEAL ORAL ARGUMENTS WERE GIVEN
BEFORE JUDGES VAN NORTWICK, ROWE, AND MARSTILLER.
ARGUMENTS LIMITED TO 15 MINUTES AND PAUL WAS TOLD HIS TIME WAS UP.
PAUL REGENSDORF FEELS A SECOND AGENDA SHOULD HAVE BEEN DONE.
A WHOLE NEW MEETING DONE. OUR SIDE FELT THAT MEETINGS ARE MEETINGS AND
NOTHING WAS DONE OUT OF THE SUNSHINE.
RULING TO COME. WILL POST THE RESULT WHEN GIVEN.

I am disappointed. I think it is time for change.

OK...1801 VOTES VOIDED BECAUSE OF A MOTION TO CHANGE IT TO 3 MILLION...

PRAYERS IN OUR MEETINGS CHALLENGED BY TOM WELLER.

4 DAY WORK WEEK LEAVING TAXPAYERS TO ONLY READ A CLOSED SIGN ON THE DOOR EVERY FRIDAY.

A LAWSUIT THAT GOT THE MAYORS BEST FRIEND A LAWSUIT SETTLEMENT.

AND BELIEVE THIS. GOT THE MAYORS "VOTE FOR SUE WELLER" SIGN ON PEGGY ROAD
NEAR HER BEST FRIENDS HOUSE. NO WHERE NEAR HIGH SPRINGS.
(thanks to a friend for the tip)

AND NEVER FORGET ONE OF THE FIRST WELLER COMMISSION VOTES THAT BLOCKED THE ROAD AT THE
PARK BEHIND CITY HALL. THE PLACE I NOW CALL HEWLETT PARK. THE SYMBOL OF THIS COMMISSION.

JUST A FEW OF THE THINGS THAT THE WELLER COMMISSION DID THIS YEAR.

THEN THERE IS THE POLITICS OF THE ALACHUA TODAY..WHO WILL THEY MEET WITH? NOT ME.
NOW I ASK, "IS THAT IS A PROFESSIONAL PAPER THAT WANTS THE TRUTH"?

GET A NEW MANAGING EDITOR AND THE PAPER IS GETTING WORSE. WATCH.....

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Front Page Faith

High Springs News

Updated 10/7/2013 11:00PM



THINGS ARE NOT SO HAPPY IN TURKEY CREEK
Seems the Alachua City Commission is taking the money for recycled water and have zero concern for the noise from the Biomass.

Wanna bet there will be someone running against Boukari this time?

OK, here in sleepy High Springs not much has happened in the last year since we got a new Mayor and Vice Mayor. Few meeting. Tabled issues like water and sewer rates that I am sure will come back up after the election if Mayor is reelected. That called politics. And not much has been told to ALL the commission.

The charter says that our charter officers are to work at the pleasure of the commission.

They are suppose to keep us fully informed.

They don't.

So maybe the Mayor knows what is going on, but I certainly don't.

The city manager said he would provide ALL with reports.

Haven't seen one.

So what going on with:

PBA contract

Solid Waste contract

Employee contract

Farmer market contract

Did a letter go to the County about extending the CRA yet?

Where are we at with Community Service worker?

How is that Health insurance thing coming?

How are we doing on finding out about the sewer reserve?

Whats going on with the Farmers Market Pavilion?

Businesses waiting and waiting for action on permits I hear.

These are just a few of the dropped balls.

We did get a government shutdown of our own.

A 4 day, and sometimes a 3 day work week.

Loosing money on that deal, but employees sure got a deal!

That ball didn't get dropped. It got taken care of real fast.

Wish other things could move that smooth and fast.

No reports on anything, like we were told we would get.

No phone calls on keeping us fully informed.

So if you have read the Observer and what Mayor Weller hope for in growth, why did nothing, I say nothing happen to make High Springs VIBRANT to date?

What I only recall as Vibrant might be the attempt to get a entertainment district in place. More Vibrating noise downtown, and longer hours seem to be the talk that is going around?

I think the backroom meetings are alive and well.

But getting something done for growth....ha

**I started this year off with hope that Mayor Weller would get something done.
You certainly can't count on Jamison or Williams to put anything forward.**

I am disappointed. I think it is time for change again.

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Front Page Facts

High Springs News

Updated 9/30/2013 5:00PM



Making sense of the budget 3 of your High Springs Commissioners approved. Jamison, Weller and Williams all said "YES". Remember this....

Our city manager came out telling us all how there is going to be found funds.
There would be roll forward money.

That he and staff have a lot of confidence.

But they are speaking GASB language.

GASB is: Government Accounting Standards Board or a Government way of accounting for funds.

Today I was watching Florida Channel...A big discussion of the State budget and bond rating. A reference to GASB changing some rules and guidelines. The person speaking was Ben Watkins, Director of Bond Financing.

He was speaking to Pensions, but made it clear he was a bond guy.

At one point he made a statement of "voodoo" funding...
That brought a series of questions from the Senators..

Sound familiar?

So right now I want to QUESTION something our city manager seemed to think was going to be a source of found money. But never went far enough in his explanation of how it was found..

So I will continue for you all and give you the truth, the facts, and the real number that are in the budget in black and white. Not coming from the smoke and mirror of GASB.

On page 9/95 of the budget Mr. Booth pointed out that the commission (last years for this fiscal year) said there would be \$2000.00 in Ad Galore - Delinquent money coming in. He was truthful. He then pointed out that in fact there was actually a YTD number of \$70,796.00 coming in. That was truthful.

Where the smoke and mirrors is coming into play is that he stopped there. He made it SEEM like the city would be taking in around \$68,000.00 extra....While the number on this line support that, you need to look just above it at the line item, Ad Valorem.....budgeted revenue..\$1,300,000.00.

BUT HERE IS THE SMOKE....Actual YTD is \$1,240,267.00....a difference of a \$70,796.00 shortfall..

Yes a shortfall in regular paid Ad Valorem...

Why, because those that were suppose to pay on time did not. They are paying late (delinquent)..

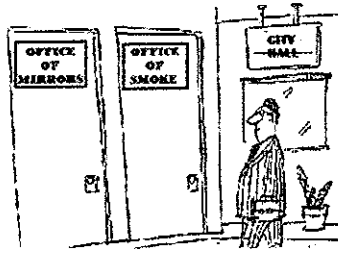
So the bottomline of Mr. Booths' presentation of a "windfall!" of \$70,000.00 is just plain wrong.

Why? Last year we budgeted \$1,302,000.00 coming in revenue in Ad Valorem.
Actual YTD right now is \$1,240,267 (Ad Valorem) and \$70,796 (Ad Valorem - Delinquent)
A total of \$1,311,063. Leaving \$9,063 in additional revenue. NOT A \$70,000 WINDFALL.

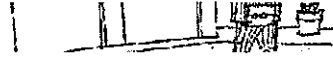
This is how the GASB boys do the numbers and pass it on to the public at all levels.
This is the voodoo numbers presentation that get us in trouble.

So is GASB accounting a story or a lie? You can't make this stuff up.

More interesting facts and figures tomorrow.



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Front Page Faith

High Springs News

Updated 9/26/2013 10:00PM

Another meeting in the record books.

Election in November reminder.

Who will win. Very quiet all around town



Two Dalmatians had a close call on the street today. Like my neighbors dog, I guess they learned to dig a hole to get out. Good thing they liked my whistle to them. Back home and safe. Truth is I think animals a bunch.

There were some interesting things said at the meeting on Thursday.

Interesting things on the record now.

If you haven't listened to the meeting yet, you need too.

Seems there is a snag in the future of the Farmers Market Pavilion.
Of course Jamison would say I was beating up on the past commission of staff if I had said something.

Seems the USDA-RD says there was something wrong with the bidding process.

Now who started this Pavilion paperwork?
As I recall we were told bidding or no bidding was taken care of.

So did past staff, city manager, Farmers Market manager submit it improperly?
Or is USDA-RD once again playing hardball with us?

Then more on the Farmers Market...
What was said by our city manager is that they are still OK where they are until January or February.

But I am hearing their last day was yesterday...

So who is right and who is wrong?

I am also hearing there are more back room deals taking form on the future of the
Farmers Market and a Recreation Director.

But of course, maybe it is just the rumor mill.

And who really got the City Auditor firm sniffing on this stinky mess with our sewer reserve funds?
Who is right will maybe be known...Maybe.
Never forget this. The Auditor works for the commission, NOT city staff or Charter Officers...

And why all of a sudden is the Police Chief pulled from PBA negotiations?
Something just not right here...

Who really dropped the ball on the PBA negotiations?

Moral of the stories....when you tell enough of them and they are all different depending on who you are talking to, and then those stories get passed around, cause you trusted someone....
Then is it considered a story or a lie? You can't this stuff up.



Front Page Faith

High Springs News

Updated 10/1/2013 11:00PM

Dropping the ball list is being compiled



Working on a story about reporters, or maybe just one or two tabloid workers.
Journalist or reporter is for those that deserve the name.

I am setting up interview with a professor at the UF School of Journalism to ask some questions.

Also doing some talking to the Florida Press Association.
Is there an award for the worst journalist?

I will be posting some interesting emails I received.
You can't make this up.

About the Florida Press Association

The Florida Press Association was founded in 1879 as a nonprofit corporation to protect the freedoms and advance the professional standards of the press of Florida.

It's purpose includes the promotion and encouragement of higher standards of journalism to the benefit of the industry and the public; the aid and advancement of the study of journalism; the encouragement of a better understanding between the public and the press; the encouragement of better business methods and practices within the industry; the encouragement of positive fraternal relations within the press and the representation of the common interests of the press on issues of general welfare and mutual concern.

The Florida Press Association includes all of the daily and most of the weekly newspapers in the state in its membership.

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Front Page Faith

High Springs News



Updated 10/14/2013 7:00PM

9:00 A.M., TUESDAY, OCTOBER 15, 2013
 COURTROOM TWO, FIRST DISTRICT COURT OF APPEAL
 2000 DRAYTON DRIVE
 TALLAHASSEE, FLORIDA

ORAL ARGUMENTS ARE SCHEDULED BEFORE JUDGES VAN NORTWICK, ROWE, AND
 MARSTILLER. (JUDGES ARE SUBJECT TO CHANGE)
 ARGUMENTS WILL BE LIMITED TO 15 MINUTES PER SIDE. Really...15 minute Paul..

I am disappointed. I think it is time for change.

OK..1801 VOTES VOIDED BECAUSE OF A MOTION TO CHANGE IT TO 3 MILLION...

PRAYERS IN OUR MEETINGS CHALLENGED BY TOM WELLER.

4 DAY WORK WEEK LEAVING CUSTOMERS READY A SIGN ON THE DOOR EVERY FRIDAY.

A LAWSUIT THAT GOT THE MAYORS BEST FRIEND A LAWSUIT SETTLEMENT.

AND BELIEVE THIS. GOT THE MAYOR A VOTE FOR SUE WELLER SIGN ON PEGGY ROAD
 NEAR HER BEST FRIENDS HOUSE. NO WHERE NEAR HIGH SPRINGS.

AND NEVER FORGET ONE OF THE FIRST WELLER COMMISSION VOTES THAT BLOCKED THE ROAD AT THE
 PARK BEHIND CITY HALL. THE PLACE I NOW CALL HEWLETT PARK. THE SYMBOL OF THIS COMMISSION.

JUST A FEW OF THE THINGS THAT THE WELLER COMMISSION DID THIS YEAR.

THEN THERE IS THE POLITICS OF THE ALACHUA TODAY..WHO WILL THEY MEET WITH? NOT ME.
 NOW I ASK, "IS THAT IS A PROFESSIONAL PAPER THAT WANTS THE TRUTH"?

GET A NEW MANAGING EDITOR AND THE PAPER IS GETTING WORSE. WATCH.....

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High Springs News

updated 9/23/2013 11:00PM



THE BUDGET WAS APPROVED TONIGHT (MONDAY 9/23)

Tight lips on the city manager and finance manager.
Nothing said about the black hole in the budget. Nothing about the zeros where there should be reserve funds.
It is my guess that the city will need to fill the missing funds, but from where.
Guess the 3 commissioners (Weller, Williams and Jamison) that approved a budget that might be in violation of statute and a federal bond resolution need to start coming up with their plan.
More on the missing budget dollars tomorrow

Being told the Luncheon was a regular event
Told it was a Birthday luncheon.
How special.
Suppose will read a story in the Tabloid.
Still waiting to see if the Tabloid prints a correction to the lawsuit story.

A local eatery with the tabloid writer (using writer loosely).
Best friends the Lawyer and City Mayor Sue Weller and others and have a lunch.
Still guess was a little celebration talk of taking the city to court and getting a planned settlement?
Now I am understandig that one other is the organizer of Concerned Citizens for a Better High Springs (that claimed to be non-political), and a \$250 00 contributor to Sue Weller campaign. Could that be Linda Jones and Linda Hewlett?
Wow. what can they be talking about?

I still wonder who paid for the lunch?

I wonder if the young UF student tabloid managing editor will report the correct story from what is written in the settlement paperwork? Is he smart enough to pull the record?

What should have been reported? Basically that there was NO one side at fault.
That the settlement was in the best interest of both sides in this lawsuit. Especially the city.

Another day in High Springs politics.
Will the truth ever come out?

Not if we leave it up to the "professionals" at the Alachua Today,
its managing editor and a biased reporter...
or maybe we can just start calling it a comic book.



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Front Page Faith

← updating tomorrow

High Springs News

updated 9/22/2013 3:00PM

One tip of a luncheon was true....

The other tip. Not so true

But there is a new one that is true
Need to get some back up information.

This is gonna be a good one.

Has anyone heard of the University Club? Hear there are some good pictures out there.



(JUST ADDED LUNCHEON PICTURE WITH THE MAYOR, HER BESTEST FRIEND AND THE TABLOID LADY)
A MEAL MEETING AT THE ROUND TABLE

So if you are an attorney and settle a lawsuit and the settlement says that it was no fault on either side ...

What do you do or say?

According to our insurance attorney....really should say nothing.

But if you are this one SPECIAL attorney...you don't do what your suppose to...instead

First thing you do is call a biased paper and get them to write a story with your twisted version.....

Then you go to a local eatery with the tabloid writer (using writer loosely).

Your best friend the City Mayor Sue Weller and others and have a lunch.

Or was it a celebration of taking the city to court and getting a planned settlement?

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Wow what can they be talking about?

I wonder who paid for the lunch?

I wonder if there were lunches like this in South Florida after lawsuits?

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Front Page Fault

High Springs News

updated 9/20//2013 6:00PM

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MAKE SURE YOU CHECK OUT THE "LAWN TRACTOR" GRAVEYARD PIC ON FUNNY FACTS PAGE.

Front Page Faith Funny Facts

High Springs News

updated 9/13/2013 9:00PM

ALACHUA TODAY What can you say? Time will tell.



The High Springs City Budget is one step closer to approval or not. Sewer rate increases are off the table for now. Why? Election jitters and posturing? A new understanding of the fees? My suggestion before voting...listen to ALL the meetings about rates and who said what. But a new theme, no credit card buying for one commissioner...Really he said that.

Now for more on the City Budget...

There is much more that I am learning from this city budget and how the city is run. When I did my survey of people coming to city hall on a day that it was closed, it was mixed. Just as those that the city staff surveyed. So then one must ask, 4 day or five day and for who.

My argument is that we are commissioners who represent the taxpayers. So we should be open 5 days a week. No 4 or even 3 day work weeks.

But other commissioners like Jamison and Weller seemed torn whether we should have a 4 day work week. And for different reasons. But the city manager, guess he thinks it is just fine.

The one thing that seemed to catch everyones attention was our revenue. So will in 3 months when numbers are looked at be just doing a favor for some, or a service for other? And then we must ask, are we making the same revenue or will we be losing revenue? This question when answered will be the tipping point.

But until then the staff wins again. 4 day week. A 3, or in some cases 4 day weekend. And they are really happy about that based on all those smiley faces in the audience. So for now, 4 day week.

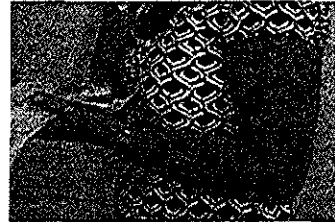


And the select staff can still have their cake and eat it too. For now.



Pictures are from Facebook and the Concerned Citizens for a Better High Springs





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And the select staff can still have their cake and eat it too. For now.



Front Page Faith Funny Facts

NOT SO FUNNY FACTS

So I am wondering if this is like a thing similar to what happens when a elephant knows it is going to die and it goes to the mysterious "Elephant Graveyard".

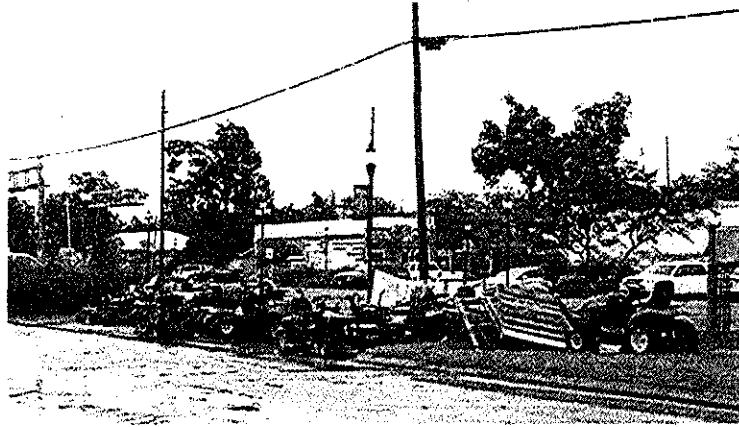
So, will High Springs make the news as the place where old "Lawn Tractors" go to die?

You can't make this cockamamie stuff up.. only in beautiful Downtown High Springs.

So if your a tourist .this is what you get to see.

So I ask this of one person .is this business friendly or what?

As of the middle of this week (8:24:13) this has been cleaned up. But they are still using city parking places for display.



And another question ..(look below at the building 1181 the True Value building)

It seems from the property appraisers site that the place where tractors are displayed is city property for parking.

So can Jim Gabriel then be allowed to put his bikes in parking spots around his store?

So can Irish Waterdogs then put canoes in the parking places in front of his store?

As Commissioner Jamison would say "Just askin"

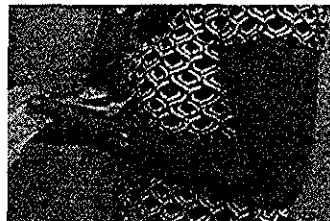


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City event.



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Front Page Farth Funny Facts

High Springs News

updated 9/8/2013 9:00PM

ALACHUA TODAY PRINTED A CORRECTION

(To a story that was written by CM Walker and apparently edited by Mr. Carl McKinney)
The papers new Managing Editor (Mr. McKinney) sent me a email to my city account. And I replied.
He sent it to "Barnas", not Mr. Barnas, not Commissioner Barnas,
Just "Barnas"...(class act, or is this how he was taught at UF where he may still be a learnin)
I will not post another word on this subject till after this Thursday tabloid when it comes out.
Depending on what is or is not printed. Will govern what comes next.
Welcome to High Springs, Mr. McKinney. Thanks for attending the CRA meeting.

Now for the City Budget...

There "is" a transfer of funds (in the sewer budget)
that is over \$100,000.00.

Now after years of attending budget presentations and asking questions,
I seem to think that a BUDGET is all about "revenue and expenses", or
money in and money out (cash).

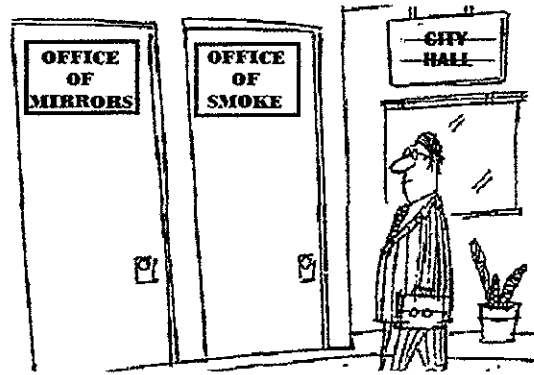
I was told that again this year when I asked about some reserves not
showing in this "budget". Those reserves I was told were on the balance
sheets and not part of the "budget".

So when I asked where this \$100,000.00 amount of "TRANSFERRED IN
AMOUNT" came from, the answer was, "NOT in the budget", but on a
different page and a figure of a fund balance in the sewer funds that was
some \$6.8 Millions of assets? Maybe? Now \$100,000.00 out of a \$6.8
million number would not be too much to generally worry about. Well "IF"
that \$6.8 was money called (cash). Remember a budget to me in revenue,
cash, money. And "IF" we did not just vote to spend another \$100,000.00
for a Rec's and Parks Director, some police cars, a spiffy Fire command
vehicle and maybe some raises, I might not have been looking at this.
But this "mystery money" really has me concerned.....

So when I asked more questions I got this GASB (Government
Accounting Standard Board) answer and way of accounting. I really did
not think it was correct. I wondered if it was cash, or part of the assets,
like a pipe or grinder pump.

I left that meeting feeling like the old days when I asked a question of
Helen McGiver. Kind of like this cartoon below.....

| |



So in the end, I never got a answer. I did get a phone call from Bill Coughlin who suggested I dig a little bit and "get" the answer.

So I will at the next meeting. And I will contact GASB advisory council and maybe or maybe not get a straight answer.

(click below to see their link)

[click here](#)

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High Springs News



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1 

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FUNNY FACTS PAGE.

Front Page Faith Funny Facts

High Springs News

updated 3/31/2013 9:00PM



It must be election time in High Springs.
When leaves fall the we know it is Fall. When it snow it is Winter.
And when the Alachua Today starts printing WRONG information that may or may not be on
purpose to help a candidate, we know it is election time in High Springs.
Many time I have said the Alachua Today is biased. It has a Editor that may over edit.
And I have called out a reporter or two for NOT getting the correct information.
Tommorow I will really cover the really, really bad information this paper put out last week.

Remember I said I was digging into some stories. Well I have, and am making the decision NOT to post the findings on them.

I will say this about cases, depositions, testimony and legal teams.

I just watched the wife of George Zimmerman take a guilty plea on PERJURY. Seems she made a statement to police or authorities about how much money they raised for Georges defense. That was not true. Imagine that, not telling the whole story truthfully is perjury.

So if you are a lawyer and have one key person going to be the one your whole case is based on and there is some information or documents that would prove that persons testimony "might just not be truthful"....you may have a problem. And if there is information that the lawyer knew perjury was taking place, is that a problem for that lawyer.

Just askin.....you can't make this stuff up.

NOW FOR THE CITY BUDGET

As I see it right now the budget is not too bad. We won't have a millage increase, will just basically duplicate the budget of last year and we will move forward. Commissioner Jamison didn't like a detailed review.

What has me really upset is that a few objections "I" made have been completely ignored. I made 3 suggestions to the last printed budget.

The newly printed and neatly bound version was just a basic reprint. But really fancy. The "special raise" for one employee was still in the numbers. The suggestion that the money be used for a "do good increase" that could be given to other staff was ignored.

I find it interesting that when there is something in the personnel manual

Front Page Faith

High Springs News



Updated 10/14/2013 7:00PM

9:00 A.M., TUESDAY, OCTOBER 15, 2013

COURTROOM TWO, FIRST DISTRICT COURT OF APPEAL

2000 DRAYTON DRIVE

TALLAHASSEE, FLORIDA

ORAL ARGUMENTS ARE SCHEDULED BEFORE JUDGES VAN NORTWICK, ROWE, AND MARSTILLER. (JUDGES ARE SUBJECT TO CHANGE.)

ARGUMENTS WILL BE LIMITED TO 15 MINUTES PER SIDE. Really...15 minute Paul...

I am disappointed. I think it is time for change.

OK..1801 VOTES VOIDED BECAUSE OF A MOTION TO CHANGE IT TO 3 MILLION...

PRAYERS IN OUR MEETINGS CHALLENGED BY TOM WELLER.

4 DAY WORK WEEK LEAVING CUSTOMERS READY A SIGN ON THE DOOR EVERY FRIDAY.

A LAWSUIT THAT GOT THE MAYORS BEST FRIEND A LAWSUIT SETTLEMENT.

AND BELIEVE THIS. GOT THE MAYOR A VOTE FOR SUE WELLER SIGN ON PEGGY ROAD NEAR HER BEST FRIENDS HOUSE. NO WHERE NEAR HIGH SPRINGS.

AND NEVER FORGET ONE OF THE FIRST WELLER COMMISSION VOTES THAT BLOCKED THE ROAD AT THE PARK BEHIND CITY HALL. THE PLACE I NOW CALL HEWLETT PARK. THE SYMBOL OF THIS COMMISSION.

JUST A FEW OF THE THINGS THAT THE WELLER COMMISSION DID THIS YEAR.

THEN THERE IS THE POLITICS OF THE ALACHUA TODAY..WHO WILL THEY MEET WITH? NOT ME. NOW I ASK, "IS THAT IS A PROFESSIONAL PAPER THAT WANTS THE TRUTH"?

GET A NEW MANAGING EDITOR AND THE PAPER IS GETTING WORSE. WATCH....

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I find it interesting that when there is something in the personnel manual that can be used to give money for a job change it is used. But when there is a policy to reprimand for insulting a commissioner or taxpayer, or using city computers for personal use, or spare time surfin, then that policy is well, lets say, ignored.

The decision that came out of Thursday nights budget "workshop" was to make 2 more "special" meetings where votes can be taken to decide if these "pet" budget items move forward. Yes, "special" meetings that last year we understood should be done to get "votes" to make decisions and not just recommendation made to a city manager that DO NOT get made.

I oh so remember how last year we gave our "then" city manager many, many suggestions and direction at meetings that she ignored. That's why we made "special" meetings to get those votes on the record.

It will now be interesting to see those votes take place in the coming weeks. Votes that "may or may not" be that loving agreeable attitude that was mentioned in a recent letter to the editor in the Alachua Today.

More to come...

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MAKE SURE YOU CHECK
OUT THE "LAWN TRACTOR"
GRAVEYARD PIC ON
FUNNY FACTS PAGE.

Front Page Faith Funny Facts Poe Springs

High Springs News

updated 8/30/2013 9:00AM



Another update there is another lawsuit against the city over the actions of James Troiano.

As our Police Chief he has been accused of some not so nice things against Brian Pritchard.

A massive records request has been sent to the city. I would guess that the complaint I filed against him that never had any action taken against him was one that I am sure Pritchard will be reading.

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FrontPage Faith Funny Facts High Springs

NOT SO FUNNY FACTS

So I am wondering if this is like a thing similar to what happens when a elephant knows it is going to die and it goes to the mysterious "Elephant Graveyard".

So, will High Springs make the news as the place where old "Lawn Tractors" go to die?

You can't make this cockamamie stuff up...only in beautiful Downtown High Springs.

So if your a tourist...this is what you get to see.

So I ask this of one person...is this business friendly or what?

As of the middle of this week (8/24/13) this has been cleaned up. But they are still using city parking places for display.



And another question (look below at the building 1181 the True Value building)

It seems from the property appraisers site that the place where tractors are displayed is city property for parking.

So can Jim Gabriel then be allowed to put his bikes in parking spots around his store?

So can Irish Waterdogs then put canoes in the parking places in front of his store?

As Commissioner Jamison would say "just askin"...



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MAKE SURE YOU CHECK
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GRAVEYARD PIC ON
FUNNY FACTS PAGE.



Front Page Faith Funny Facts Poe Springs

High Springs News

updated 8/26/2013 9:00PM

City manager seems to be working hard.

Looking at saving money and listening to good, and and ugly goes on.
Christian Popoli lawsuit with attorney Linda Rice Chapman still out there looking for
a settlement or go to trial. Be some great stories at a trial.
Ross Ambrose lawsuit with attorney Paul Regensdorf is in appeal stage. He really want
attorney fee's. Wonder if a appeal judge will be one that is on the
Florida Courts Technology Commission? Just askin.....
Seems there was a large settlement in an accident case of a local.

Going to do some digging into a few stories I am hearing about.

Seems the Lawn Tractor graveyard is shrinking.

One suggestion I would make id that the business look into asking the
city to close the street (1st PL) behind the building. Would make a perfect
place to keep those tractor instead of "city parking places".

**ON THE OTHER HAND I AM NOW WONDERING WHY THIS HAS GONE ON
SO LONG. WAS THERE PERMISSION GIVEN BY SOME CITY OFFICIAL?
DID A PAST OR PRESENT OFFICIAL, COMMISSIONER OR MAYOR
APPROVE ALLOWING LAWN TRACTORS IN CITY PARKING SPACES.**

**SO WHEN WILL BIKES BE PLACED IN PARKING PLACES, CANOES OR
RESTAURANT TABLES EVEN OR BARBER SEATS?**

JUST ASKIN.....

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Front Page Faith Sunny Facts Poe Springs

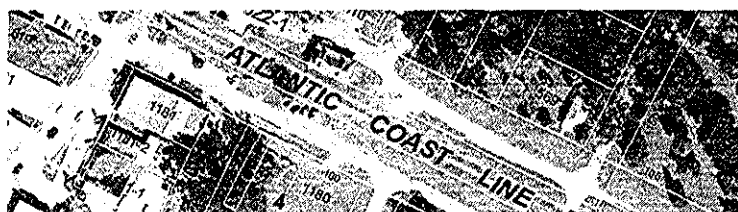
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MORE



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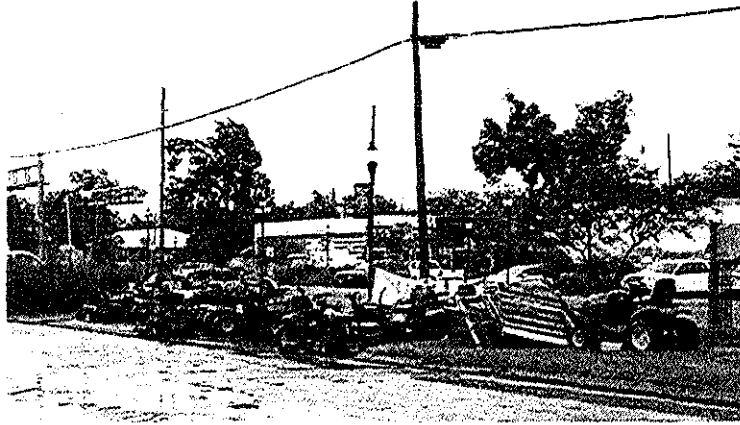


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Front Page Faith Funny Facts High Springs

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Front Page Faith Funny/Facts Poe Springs

High Springs News

updated 8/22/2013 11:00PM



I heard a comment Thursday that someone said Mayor Weller has things going smoothly and that I (Bob Barnas) try to make things not run smoothly. I must remind some that this is a commission city, that should have input from ALL the commissioners. I do not want us to have a city that has a Mayor that makes the choices for all the commission, as was done in the past. I do not want deals brokered in a way that excludes other commissioners input. And I do not want a return to the day when a commission votes to stop negotiating on something, then a side meeting directs someone to disregard that vote. I would suggest that those that want to make these comments, attend some meetings.

COMMISSION MEETING THURSDAY

A very full agenda was dealt with in a quick manner.

The standout for the night was a increase in your city fire assessment fee.

It is now \$73.00. The Fire Chief wanted it higher to cover some costs. Mainly a new roof. At a cost of around \$25,000.00. Now it is my opinion that the funds for this roof are currently in this years budget as roll forward money. But we can't get that answer yet. And if we look at next years budget there should be some easy cuts to find this money.

But it seems that 3 commissioners were just itching to raise something higher. Your taxes seem to be safe, so they jacked the fire assessment fee up to \$83. Jamison, Williams and the deciding vote by Weller. Barnas and Gestrin vote no way.....

Your sewer, water and trash bills are next on the agendas.

Then there is this question?

Whatever happened to subjects discussed and things agreed upon but never voted on over the years? I have been looking at past agendas.

Things that were talked about under Mayor Coughlin, Mayor Travis, Mayor Davis and now Mayor Weller.

Things that commission majority's wanted and asked to happen..

And still a poor website!

And still no job descriptions!

No mileage logs for city vehicles!

No merit raise plan?

Land Development Codes that are not valid!

No employee of the year nominations?

**NO employee of the year nominations !
(must not have one)
Downtown streets are still going unkempt!
Downtown flower pots empty!**

ON THE OTHER HAND

**We did get Hewlett Park.
We did close the road behind City Hall.
We did get a 4 day work week!
(that leaves people standing at the city hall door wondering why)
We did get a employee union..
We have managed to keep the "unfriendly" to business stigma.**

**So I ask again,
Who runs the City of High Springs?
I have my opinion..what is yours?
Come to a meeting and find out.**

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High Springs News

updated 8/22/2013 10:00AM



I heard a comment today that someone said Mayor Weller has things going smoothly and that I (Bob Barnas) try to make things not run smoothly. I must remind some that this is a commission city, that should have input from ALL the commissioners. I do not want us to have a city that has a Mayor that makes the choices for all the commission, as was done in the past.. I do not want deals brokered in a way that excludes other commissioners input.

And I do not want a return to the day when a commission votes to stop negotiating on something, then a side meetings directs someone to disregard that vote.
I would suggest that those that want to make these comments, attend some meetings.

COMMISSION MEETING NIGHT

A very full agenda. Plenty to talk about and I hear maybe an addition of the solid waste contract. This could go late tonight.

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(that leaves people standing at the city hall door wondering why)
We did get a employee union.
We have managed to keep the "unfriendly" to business stigma.

So look again

SO I ASK AGAIN,
**Who runs the City of High Springs?
I have my opinion..what is yours?
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High Springs News

updated 8/9/2013 7:00PM

The November Election

And the race for our next city commissioner is in place. Two officially registered candidates.

One is incumbent Sue Weller and the other is politically experienced Bobby Summers.



The city office is now closed on Friday. This stinks... I plan to sit outside city hall Friday and ask people what they think.

Results of sitting outside city hall from 8:30-11:30AM FRIDAY

25 people came up to the door to do business.
(of the 25)

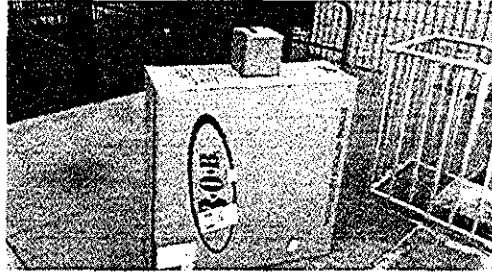
- 12 High Springs residents.
- 15 Wanted tag business
- 1 Wanted title business
- 2 Wanted to pay water bill (one was cash)
- 1 Wanted to talk about his irrigation meter
- 2 Wanted information on business permits
- 1 Wanted information about cutting down trees
- 3 Not sure, was busy talking to others

Of those I spoke to, several were really unhappy. 3 said they may understand why there is a 4 day week. Most felt a city should serve the public, and be open. 1 then went on talking about trash pick up, city services and more.

Many let me know how they had ONLY today to do business and would go to Gainesville for tags or title work.

Then FEDEX delivered two packages. But no one there to sign. I gave them a business card and told them I was a commissioner and the delivery women asked me to take them so she would not have to take them back. I did. So I ask, what would have happened or what will happen for future Friday deliveries...





**All in all, an eye opening day that give many examples why we SHOULD NOT be closed. That this should have been thought out better before trying it. Where did this originate is the question?
Where we go from here will be interesting.**

Stay tuned.

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FrontPage Faith Funny Facts Poe Springs

High Springs Election and meeting

updated 8/2/2013 6:00PM

The November Election

The city office closed Friday and the race for our next city commissioner is in place. Two officially registered candidates. One is incumbent Sue Weller and the other is politically experienced Bobby Summers



UPDATE

THE CITY BUDGET

The budget workshop which was not advertised on the city board in front of city hall (oops!) began with a message from our city manager stating that this was a tight budget, and that there were no "raises" in it.

This was a great statement because the economy is still struggling to come back and raising your taxes is not what needs to happen now. So when it was discovered that there was a 5% increase for one select employee, it caught everyone by surprise. Especially how it was presented. And the look on the city managers face was interesting, since I don't think he knew that increase was in the numbers.

This will certainly be a discussion that will be continuing at coming meetings. Much, much more at issue and complicated than just a 5% pay raise for one.

Other increases in our fire department and public works spending will be questioned in the coming weeks.

The good, no great news is that the Police Department and our Police Dispatch is holding the line on spending. Working better than ever at protecting the community and dispatching calls.

While the commission wants to hold the millage to what we had last year there is still time to reduce it.....lets see who makes cut suggestions.

Coming next, commission votes, consensus and how they really effect

everyone in the City of High Springs.

This website will be posting stories pictures and many comments for you to read. I have placed my posts in my blog for you to comment after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King. . This website is copyright protected Copyright © bobbarnas.com 2012-2013 All Rights Reserved No part of this website may be reproduced without express consent of Bob Barnas.

hip. Trying to act like he understands the finances of the city.
 So as of the vote last night,
**YOUR TAX MILLAGE CANNOT BE GO UP. THE CURRENT 6.15 WILL BE
 THE HIGHEST WE CAN SET OR KEEP TO BALANCE THE BUDGET.**

Commissioner Jamison along with Commissioners Weller and Williams made and supported a motion to raise your sewer fees around \$5.00 a month....The vote was just about taken, but came to a stretching halt, when they realized that once again this would only hurt the sewer users who are paying for the mistakes and bad decisions and PLANNING done by the previous people at city hall.

I once again pointed out that there are other ways to separate the sewer and water bill, make it fair and work the city budget so as not to raise rates.

The motion was tabled to another date. It should come up in September.
MEANING.....NO SEWER INCREASE FOR NOW.

And the other big item on the agenda was Impact Fees for new construction. Right now they are back at full tilt and builders don't like it. Actually neither do any of the commissioners. So the first step was taken to reduce them. A good thing. I also made a motion to get a "powwow" of builders, banks and the real estate community together to come up with a program that works for ALL concerned. A really good thing.

So in all I feel the Taxpayers got the best of the motions because the truth is finally coming out. The bashing of past managers, and commissioners help make a point.

And once again at this meeting we had the usual player throwing their shots at how "THEY THINK" the city should go. You could not come close to making up the cockamamie ideas that come out of the mouths of a few disgruntle people. How they see "fair and equitable" as only something that would benefit THEIR agendas.

More to follow..But for now, good day.
 For more good reading go the Friends Post

CLICK HERE

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A BACKROOM DEAL OR
UNDEAL WAS MADE...
MORE TO FOLLOW
YOU CAN'T MAKE THIS UP



Front Page Faith Funny Facts Poe Springs

High Springs Election and meeting recaps

updated 7/27/2013 10:00AM

The November Election

The city office closed tonight and the race for our next city commissioner is in place. Two officially registered candidates.

One is incumbent Sue Weller and
the other is politically experienced Bobby Summers



THE CRA MEETING

With only one hour set for the meeting the members learn to move fast.

The focus has gotten real. The CRA is understanding that parking downtown and further improvements and renovations are important.

A unanimous vote directed the City Manager (aka CRA Executive Director) to find a way to keep the downtown cleaner, and to come up with a solution for parking for handicap and getting a better handle on parking time limits and maybe even designated parking spots.

Something that all agree **MUST** be dealt with before the other large downtown restaurant opens its doors.

In addition to this, funds were set aside to be used for residential improvements in the CRA district.

THE CITY COMMISSION MEETING YOUR TAXES, YOUR FEES AND MORE

In another meeting where the past mistakes are brought up to really point out what **NOT** to do in the future, Commissioner Jamison once again got on his soap box that my "bashing" of the past meetings and commissioners is getting old to him. I guess as an educator he just doesn't believe in looking at the past and learning.

I wonder how he got to where he is today?

It is interesting to see how each commissioner handles your tax dollars. Commissioner Jamison wants all the tax bucks he can have to massage a budget. Wants to make sure "his" recreation ideas get funded.

So he was the only commissioner voting to basically increase the millage when four other commissioners wanted to pass on the savings to the taxpayers who properties have been assessed at a lower rate. You really should attend a meeting and watch this guy shooting from the

Front Page **Faith** **Funny Facts** **Poe Springs**

The City of High Springs

updated 7/24/2013



The November Election registration cutoff Friday, July 26th

When you just thought thing were getting quiet
TWO PEOPLE THINKING OF RUNNING THAT I KNOW OF...
THEN I HEAR A THIRD NAME.
I DON'T THINK WELLER WILL BE AN AUTOMATIC COMMISSIONER

Philosophy of good government...

Depending on your upbringing, education, the golden spoon or your economic standing, your take on good government may be completely different than your neighbor.

And depending on these above standards you have, your belief in growth or who should pay for it may also be completely different.

But if you are a city commissioner you are bound by the charter...
 It says this:

This municipal government exists to protect the governed, not the governing, and exists in order to provide the public with full and accurate information, to promote efficient administration management, to make government accountable to the people, and to ensure fair and equitable treatment to all persons.

FAIR AND EQUITABLE TREATMENT TO ALL....
(not the few outspoken guru's)

At a time in the economy when MOST are still struggling to make ends meet, is it time to return to the government style of the past?

This question will be my concern at the budget meeting.

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[Front Page](#) [Faith](#) [Funny Facts](#) [Poe Springs](#)

The cost to our taxpayers and residents

updated 7/23/2013



**WHERE DO WE GO NOW
FYI COUNTY IS CONSIDERING TAX AND MSTU INCREASES
[CLICK HERE TO READ IT](#)**

Philosophy of good government...

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This municipal government exists to protect the governed, not the governing, and exists in order to provide the public with full and accurate information, to promote efficient administration management, to make government accountable to the people, and to ensure fair and equitable treatment to all persons.

**FAIR AND EQUITABLE TREATMENT TO ALL....
(not the few outspoken guru's)**

At a time in the economy when MOST are still struggling to make end meet, is it time to return to the government style of the past?

This question will be my concern at the budget meeting.

This website will be posting stories pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King.
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Front Page Faith Funny Facts

Stuff

updated 7/8/2013



A search for knowledge

Since I am being mentioned, written about, accused and referred to in so many legal documents and carbon copied on so many more letters, I spend alot of time and money going to County and Federal buildings getting copies and asking questions on so many things and people, pulling past information from so many sources.

There must be an easier way...?

Well records and how they are kept and transmitted are changing. So in an effort to keep up, I need to know where the legal system in Florida is headed. So I have been reading report after report about the law and the Florida Court Technology Commission.

It has an impressive list of members that serve a varying number of years. They are setting the benchmark for court record and how they are transmitted and retained. And much more.

So I feel I need to know more.

It is a great mix of Judges and even attorney's.

So the next meeting is:

Upcoming Meetings & Materials
Scheduled for August 1-2, 2013.

Location:

George Edgecomb Courthouse
Judicial Conference Room, 6th Floor
800 East Twiggs Street
Tampa, FL 33602

Haven't been to Tampa for awhile.
Continuing education....

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of local meetings keeping the public informed of the events and happenings at your City Hall, public records or city business and more. And I admit I am the typo king. .
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All seems to be quiet

updated 6/26/2013 10:00PM



City of High Springs Commission meeting Thursday June 27, 6:30PM

The meeting only had 3 commissioners.
Barnas, Jamison and Williams.

So things need all 3 votes to pass. And they did.

But a question was again raised about invocations at meetings. And the city manager made a comment that it is not allowed. Or said something like that to Billy Dowdy. So tonight I researched it.

Here is a link to a recent news article. The Supreme Court WILL hear a case concerning religious invocation at meetings.
BUT NOT UNTIL OCTOBER OF THIS YEAR.

So why did this all change when Commissioner Weller became Mayor Weller? Why does the city manager not like a Christian invocation at the beginning of the meeting? Or any? I think we need a vote.

Time for the return of prayer.....

[click here](#)

<http://www.npr.org/blogs/thetwo-way/2013/05/20/185508793/supreme-court-takes-case-on-prayer-at-government-meetings>

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POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/18/2013 9:00PM



Correction to my comment about the 48 page brief. And then another question. What did Mayor Wellers husband say to the one of the owners of the Priest Theater? Maybe Mayor Weller can ask him and then tell me, before I post the wrong statement I have been told he made.

CORRECTION

TONIGHT I WAS GIVEN A DOCUMENT AND ALSO REMINDED THAT MY STATEMENT BELOW IS NOT PERFECTLY CORRECT. BELOW I STATED "It was Commissioner Sue Weller who made the FIRST suggestion to amend th Ordinance to \$3 000 000.00 or \$2.000 000.00." All of this is correct except that SHE really only said \$3,000,000 00 when she introduced HER version in writing of HER version of Ordinance 2013-12 So I am removing the \$2 000 000 00 from the original post

But what I will now say is that I did not say in the original post that her introduction also had other major changes to the body of the Ordinance 2013-12 And at no time, again no time did the City Attorney object to any of these changes by her. Commissioner Sue Weller made the FIRST MOTION to change the amount and was seconded by Commissioner Jamison. This is something to remember And this leaves me with the question had this passed with \$3 000 000.00 would a lawsuit still have been filed saying we made a mistake?

On page 9 and 17 ...

I find the reference to the change from \$1,000,000.00 to \$2,000,000.00.

In his brief (which isn't so brief) he now blames a "Commission Majority", for all the problems. This in my recollection may not be correct. I will need to listen to the meeting. I seem to remember that is was Commissioner Sue Weller who made the FIRST suggestion to amend the Ordinance from \$1,000,000.00 and also made a statement using the term "null and void".

A statement that was used by Attorney Linda Rice Chapman in the original lawsuit. I find it very interesting that Commissioner Sue Weller (bestest friend of this attorney) had the exact term ready to go at the meeting. But most importantly to me, is that it was Commissioner Sue Weller who made the first suggestion to CHANGE the Ordinance to \$3,000,000.00. NOT the majority that is attacked. The Regensdorf brief, seems to omit this fact.

And be assured, our team of attorneys has been given this information.

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POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/17/2013 9:30AM



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Front Page **Faith** **Funny Facts**

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POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/14/2013 1:00AM



Another meeting in the books

So I can't wait to order my new,
"On behalf of the City of High Springs" stationary.

i Just can't decide if I want this on the top or bottm of the page. s and they

And how much can I put as to indicate my office?
Lets see...

Office of Commissioner Bob Barnas
or
Office of Commissioner Seat ___
or
Office of former Vice Mayor Bob Barnas

Maybe I can put more...

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POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/12/2013 7:00PM



A comment on Florida Statute

When an attorney and a Plaintiff are offered a pile of money to end a lawsuit and they just file more complaints, is there ever an end in sight?

Well there is a Florida Statute 112.3187 (9)d. that says:

(d) Payment of reasonable costs, including attorney's fees, to a substantially prevailing employee, or to the prevailing employer if the employee filed a frivolous action in bad faith.

So what happens if a judge or jury rules a lawsuit is frivolous?

I think this has happened in the past in a civil case I read.

An attorney in 2002 was ordered to pay \$11,030.36 to a Defendant.

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POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/8/2013 7:00PM



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Front Page **Faith** **Funny Facts**

UPDATE AND MORE

updated 6/3/2013 11:00PM



A REFLECTION ABOUT HIGH SPRINGS

High Springs CRA has been here using your tax dollars for around the last 27 years or so.

So what did they do besides pay the city bills?

For many years we gave money to an organization called the CDC. Not sure who really got over \$100,000.00. Not sure how the money was used.

Never did get to see those Dot Harvey books and checks.

Well we did get 7 or 8 bike racks that cost about \$4,000.00 and sit getting rusty around town, going unused. Truly, unused.....

But over the last few months the Priest Theater started a fund raiser, and hit their goal, no, exceeded their goal and raised over \$85,000.00.

Monday night saw a packed house to watch Star Trek for \$3.00 admission.

Last week the High Springs CRA 7-0 funding vote did what a CRA is suppose to do. It will help rehab the Priest Theater. It will be money that is accounted for, and that will bring a building back to life. And it will be a benefit to the entire community of High Springs and its visitors.

Thanks to those that contributed time and money to such a great project.

Now maybe next meeting we can find out who is suppose to paint the rusting bike racks? Only in Cockamamie....

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UPDATE AND MORE

updated 5/28/2013 7:00PM



BACK TO WORK IN HIGH SPRINGS

**We are going to have a CRA meeting this week.
Go over the goals..**

Some of which I am sure will overlap with city goals.

The one subject that I believe will again stir the political pot is the Old Train Station building. Much excitement has been generated by some about acquiring this building. This excitement coming with none of the parties wanting it, stepping up with a way for them to pay for it. They all seem to assume government funds will be there. And all seem to be willing to pay **WHATEVER** the price may be.

So I remind everyone of the Pigg Property purchase, the sewer bonds and loans, the Million Dollar Old School and other projects where taxpayer dollars were **FREELY** spent by a majority vote of a few.

Before I will even consider this, I need facts of value. Not what and owner **THINKS** it is worth. When a market is down, you don't pay a price that is too high. It must be by law, "Fair Market Value"...Fair and Just is what it says. Unless you just don't care because of a personal reason.

We have so many other options that are truly good and viable. I wait to see how certain CRA board members will weigh **ALL** the options. This must be an unbiased decision.

Law needs to be considered when a Government wants to buy something for public use...If this becomes the final option. **ALL** board members and commissioners must forget the seller is a friend and treat this transaction fair and unbiased for the benefit of the taxpayers. All options must be used to avoid another financial joke.

I look forward to a discussion that looks at all options of other buildings and honest, researched decisions.

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FUNNY FACTS

If you say something to a Judge that is just so far out there, he may give you a look like this....

You can't make this cockamamie stuff up...

Caption might be, "Your in contempt of court, again"



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Meeting update and more



updated
3/29/13 7:45PM

"People are very inclined to set moral standards for others."
Elizabeth Drew

"Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others."
Jacob M. Braude

Next class for Sunshine rules and regulations for commissioners (Jamison) that have not attended is this summer. Why has he not attended?

Does anyone understand what an olive branch means?

Last night I pulled back and offered it again. I waited for a few people to step up to the microphone and say "I'm sorry". Or come up to me and say it to my face.

That did not happen from the ones that really needed to do it.

Complaint from Bob Barnas the citizen is complete, but did not make today's mail. So the Florida Election Commission won't get it till next week. Here is a note when a complaint is filed with them.

Within five working days of receiving the complaint, the Commission will mail a copy of the complaint to the person (or persons) named in the complaint. The Commission will also notify the person named whether the Commission will investigate the complaint and what sections of law it will investigate. See Section 106.25(2), Florida Statutes.

So in about a week those named will hear from the FEC.

This one could get real expensive.....

Lets see if I am right or wrong. I was right about Larry Travis violating election law... You just can't make this cockamamie stuff up.



This one still makes me wonder.... Byran Williams said this.... "I am not a member of the Concerned Citizens for a Better High Springs". "Did not attend one meeting". So that leaves two commissioners who may have attended meeting together to make the CCFBHS manifesto....that opposed the debt limit referendum. hmmm?

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Meeting update and more



all pages updated
4/3/2013 7:30PM

STARTING
TOMORROW I WILL
BE LOOKING BACK
AT THE LAST YEAR.
THE LAWSUITS, WHO
FILED THEM AND
WHY. THE THE ETHIC
COMPLAINTS AND
THE LETTERS THAT
HAVE GONE BACK
AND FORTH WITH
THE FLORIDA BAR.
FEC AND THE
COMPLAINANTS.
THE PAST ETHIC
COMPLAINTS AND
THE ONES THAT ARE
OUT THERE NOW.
WHOS CONNECTED
TO WHO IN THESE
FILINGS. AND MOST
OF ALL THE TRUTH
AND THE LIES.
YOU WONT WANT TO
MISS THIS.

More truth about
the fine Larry
Travis received.
Want to read it.

[click here](#)

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

Time to reveal letters with some of the most revealing truths and lies. The Truth must be told and it will. I feel these letters and records will be a understanding that much that has been written was false and misleading. How much has NOT been reproted. Buckle up.....

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out....

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars..... I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show.
The real work is falling behind and will soon bit you in the ass...

I am not going away. My paperwork has been sent to the Florida Election Commission. We will see what they say. We will see if there is a major violation of election law to be revealed.



As a side note.....I hear Jimmy Troiano the once fine Police Chief and person that insulted me and Robyn Rush publicly while still employed by the city is now looking for public records.
Was at city hail Wednesday...but Jenny is on vacation.
Oh, the current upstairs staff can help him, again, and again.

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Meeting update and more



updated
3/28/13 10:30PM

"People are very inclined to set moral standards for others."
Elizabeth Drew

"Consider how hard it is to change yourself and you'll understand what little chance you have in trying to change others."
Jacob M. Braude

Does anyone understand what an olive branch means?

Tonight I pulled back and offered it again. I waited for a few people to step up to the microphone and say "I'm sorry". Or come up to me and say it to my face.

That did not happen from the ones that really needed to do it.

So guess what?

It goes in the mail tomorrow..
To the Florida Election Commission.

You just can't make this cockamamie stuff up.



Then there was this Manley crying that he was being picked on.
He just doesn't get it. Does not understand why he won the award last week.

Neverwill....

And finally, the only thing Jamison has done this year is to bring forward a "behavioral control" agenda item....that fizzled. Made him look foolish. Listen to him on the audio at the city website. He did the backstroke. Last week he wanted censure, and penalties. This week just one sentence in the rules. Fizzle, fizzle and poof.
Even Byran saw it as a stupid idea.

And finally, Byran Williams said this..."I am not a member of the Concerned Citizens for a Better High Springs". Seem they (CCFBHS) made another of those freedom of speech lie in posting his name all over the place.

Then there is the \$400 fine against Larry Travis for violating Election Law. I was gonna talk about it, but he wasn't there. So I gave the documents to the Alachua Today. Wonder if they will do a story on taking cash donation he should not have. Just sayin...what fair is fair.

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Breaking News



updated
3/25/13 10:30PM
"People are very
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others."
Elizabeth Drew

"Consider how
hard it is to change
yourself and you'll
understand what
little chance you
have in trying to
change others."
Jacob M. Braude

I was given a gift. Clear the pages...my new mission begins.

First of all understand there is a difference between non partisan and non political.
Read the Our Town article by Larry Benike where he calls CCFBHS non partisan.

For several months I have been putting together information and documents on something.

Was almost where I needed to be last meeting but the audio system did not record what Linda Jones said. And the minutes that we have from that meeting did not accurately say what she said fully. So I was going to do something this Thursday to correct our minutes.

But March 25th, 2013 about 7PM tonight Linda Jones posted her words exactly as she said them and more on facebook.

Thank you Linda..for the gift.
My folder is complete and next I will.....

You just can't make this cockamamie stuff up.



OK, here is a cut and paste from the Facebook page of CCFBHS after Gene Levine posted a political comment...the admin for CCFBHS person posted this.

"Concerned Citizens For A Better High Springs This group will not be addressing political campaign issues. Those are for other groups. We are nonpartisan and nonpolitical and will only be focused on policy recommendations to move High Springs forward."
September 28, 2012 at 9:45pm and one like by Donna Mogler.

So whos the liar now? Jones or the person that posted this 9/28/12 post?
Who defines policy or politics?
Just askin?

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UPDATE AND MORE

updated 5/28/2013 7:00PM



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UPDATE AND MORE

updated 5/25/2013 1:00PM



ENJOY THE MEMORIAL DAY WEEKEND IN HIGH SPRINGS

Oblivion with Tom Cruise playing at the Priest.

May 26, open water park at Camp Kulaqua.

Memorial Day ceremony 8AM, next to city hall.

Be back Tuesday with some interesting comments on a lawsuit. Discovery is gonna be interesting... Seems Alachua attorney Linda Rice Chapman wants to go to trial and is demanding a really really big pile of money from the City of High Springs.

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Front Page Faith Funny Facts

UPDATE AND MORE

updated 5/18/2013 1:38PM



RULES ARE RULES OR ARE THEY?

I did not attend the Civility and Budget workshop. It was attended by four commissioners and less than five in the audience, I hear.

I hear that the there seemed to be no consensus as to adding more civility to the rules. I hear that Paul Regensdorf once again demanded more that 3 minutes because he had important things to share. I hear that our Mayor Sue Weller did what she has all the right to do and that is bend the rules, or better said, amend the rules to allow this attorney Paul Regensdorf to enlighten the commission and the few attending. I hear he got way off subject. I hear that Mayor Weller did NOT set a time limit on him and that he went on for about 22 minutes. I look forward to listening to his diatribe of rhetoric and wisdom.

Then there was another speaker who only took her allotted time.

To only be followed by another demand from Paul Regensdorf to be heard again.

I look forward to hearing what commissioners supported any changes and what ones did not. Was there a majority consensus to do ANYTHING or not?

Will our attorney once again spend time and taxpayer dollars to draft more rules?

What was suppose to be workshop on civility has really accomplished something completely new. It has raised the bar on time limits of speakers. It has opened up Pandora's minute limit box. It has raised many questions that seemed to be under control.

Will Mayor Weller now allow others from both sides of issues to speak unlimited by time?

Will Mayor Weller allow anyone to go off subject?

Or will Mayor Weller realize the error of this meeting and correct it in the future?

Time will tell.

This is the second meeting that Mr. Regensdorf has had rules bent for him...

Guess he is above the rest.

Another learning curve for this commission.

Maybe I should buy someone a tee shirt that say this:



Don't Apply To Me

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[Front Page](#) [Faith](#) [Funny Facts](#)

UPDATE AND MORE

updated 5/14/2013 11:59PM



BREAKING NEWS ON ELECTION LAW COMPLAINT AGAINST PAT RUSH

On October 29, 2012 Eric May posted this on his blog, smearing Pat Rush and just about anyone who supported him.

According to the latest campaign finance reports, Patrick Rush, a candidate for High Springs City Commission, accepted a donation for \$1,000, double the legal limit imposed by Florida law.

According to Florida Statute 106.08, contributions cannot be made in excess of \$500 by any individual person or company. The law does allow an exemption if the donation is made by a political party.

The check came from Dr. Joseph M. Rush, an internal medicine doctor in Gainesville, according to sources. Dr. Rush is presumably related to candidate Patrick Rush, who serves as his own campaign treasurer and signed the report.

The donation is listed on his financial report just above an in-kind donation of \$100 made by Bob Barnas, a current city commissioner and real estate agent with Bosshardt Realty. There is no description of what Barnas contributed, only the letter "N" is listed, also a violation of statutes.

Accepting a donation in excess of the statute-imposed limit constitutes either a first degree misdemeanor or a third degree felony, depending on how many illegal contributions are made.

He followed this post up with an Election law complaint with 2 charges.

Seems Eric May alleged that Pat Rush violated the law when he took the cash donation of \$1000.00. This might be correct? But was it? PROBABLE CAUSE was found.

Seems Eric May alleged that my inkind donation marked with an "N" was a violation. Well investigation found NO PROBABLE CAUSE.

(but on his blog he did not say "alleged violation" did he? Made a false statement again?)

A hearing was held today in Tallahassee. Pat Rush made a statement and presented his side. Then there was a motion made by someone on of the State Commission.

(Correction to come. Not sure if Florida Election Commission or Ethics Commission)

The ruling was...

[CLICK HERE TO FIND OUT](#)

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Based on information provided by Pat Rush a motion was made by a commission member on the charge of accepting a \$1000.00 campaign contribution.

THE MOTION WAS FOR:

NO PROBABLE CAUSE

THE MOTION PASSED

ALL CHARGES DISMISSED

NO FINE



IF I COULD FIGURE OUT HOW TO PUT A HOBO BEARD AND A BOW TIE ON THIS GUY I WOULD. WILL A "I'M SORRY", BE COMING TO PAT RUSH NEXT? TIME WILL TELL IF A MAN STEPS UP...



SEEMS THERE ARE A FEW MORE COMPLAINT OUT THERE RIGHT NOW WITH FLORIDA ETHICS AND THE FLORIDA ELECTION COMMISSION AND I HEAR MAYBE ANOTHER SOON TO COME. WHEN WILL IT STOP? WHEN WILL PEACE BE MADE?

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Front Page Faith Funny Facts

UPDATE AND MORE

updated 5/14/2013 11:59PM



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Front Page Faith Funny Facts

FUNNY FACTS ABOUT HIGH SPRINGS

OK, Funny newspaper post...for the New Observer...
(I sold my soul paper)



Then of course funny but not so funny.
Baseball Park if you build it, they may come. And may not.

Nations Park in Newberry that was written about in local news is not filling the bill that was promised.

Read this:

[click here](#)

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[Front Page](#) [Faith](#) [Funny Facts](#)**UPDATE AND MORE**

updated 5/10/2013 12:10AM



The meeting on May 9th had a proclamation calling May Civility Month. So when they did this last time with Eric May (I'm not gonna be Mayor Eric) and Larry Travis, they started arguing.

I didn't want to be the one doing it tonight
I wasn't. It was someone else who lost control at the meeting.
Seems we found out who has a little temper problem.

Anyway in the sprit of civility...take a break.

OK, so you know I have been complaining that we as commissioners are not kept informed about what goes on at city hall that can be important to the entire city. How charter officers need to keep us informed. Well I am now thinking is might be a spell put on the city hall, that follows those who leave too. Seems our former city manager who kept things to a select few when he was here is still doing it. You gotta read the story that has some Zephyrhills council disappointed. Lets just hope the "excuses" stay in Zephyrhills.

Enjoy

[click here](#)

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Front Page Fair Funny Facts

UPDATE AND MORE

updated 5/6/2013 8:00PM



Friday, April 26, 2013 I accompanied Dean Davis to Tallahassee to take notes, pictures and for support. At about 11AM there was a scheduled hearing on all of the 6 allegations that were made. In the 5 minute hearing that was attended by Dean Davis and Linda Rice Chapman the seven member Florida Commission on Ethics ruled to dismiss, stop, the allegations against Dean Davis. Zip, nada, zilch, over and done.

[click here](#)

Received a copy of a Day Camp rental agreement and Contract for the City of High Springs to enter into with a local group. I am not sure how we got to a point that this was written before we as a commission have voted that this is something a majority wants. Our city attorney has to have spent alot of time doing this. But of course this falls under their regular hours. But what if they had other things to do? How do they pick what is top of the list for our city and taxpayers?

Like where are the tax annexations at with the county?

So I will have many questions for the meeting on Thursday.

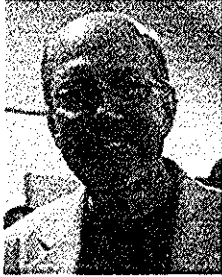
City Insurance company has replied to me and I have forwarded to the city attorney.

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Front Page Faith Funny Facts

Update and more

updated Front Page/Faith 5/5/2013 2:00PM
Seem Civic Center Park event a rain out.



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Press Release Dean Davis cleared

In the last few weeks the City Manager seems to have approved a day camp. Really, the city manager without consultation of the city commission went ahead and seems to have given a green light to this idea.

Day Camps have regulations, DCFS maybe, insurance, a director or organization that is registered, background checks, a plan for good, bad and ugly and more. How much time will the city staff or charter officers spend on this that will cost the city money. Has anyone thought about costs to operation and who will pay for it. Why did Alachua drop the program (I heard)?

I look forward to this coming in front of the commission before another dime is spent by the city.

There are Day/Summer camps throughout the county. Let the professionals watch over the children. This is NOT something you come up with and TRY to see if it works.

More digging news.

Why two corporations? Why Not for Profit as opposed to Non Profit?

I have sent a email to insurance company asking them to look into this.

Why not just do this at the Woman's Club in High Springs?

The safety of our youth must be the first priority....

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Front Page Faith Funny Facts

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updated Front Page/Faith 5/5/2013 2:00PM
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Front Page Faith Funny Facts

Update and more



updated 4/29/2013 11:00AM the Station Bakery
Another Thursday night commission meeting under the belt and here are a few personal observations.

The usual players attended.
There is this one guy who just can't stop saying how good he is at what he does.
You just have to listen to this guys logic And how he twists things.

Then of course there was that special Zumba lady again. After the meeting she drove past Commissioner Gestrin and Robyn Rush and fired off the usual middle finger.

This is the person who wants to be on a city board.
Jamsion would most likely say, "what would her mother think?"

↓ BREAKING NEWS

DEAN DAVIS CLEARED OF ALL SIX ALLEGATION IN ETHICS COMPLAINT

Last year and into this year, Dean Davis, Linda Gestrin and myself have been the target of political and personal attacks in the press and court documents. They are mostly public record and I have expressed many time my opinion of the truths and facts that have been distorted and flat out wrong.

Last year on September 18, the Florida Commission on Ethics received a Complaint. The Complaint was against Dean Davis and it contained 6 allegation of violation of Florida Statute all related to the sale and assistance to Plantation Oaks senior living center in High Springs. I have seen the complaint and the allegations. The complaint lists attorney Linda Rice Chapman as the Complainant. While technically (as said to me by an investigator) she is the Complainant, I have been told that is was FILED by her on behalf of Ron Langman.

The complaint was numbered as 12-149. An investigation was done by the Florida Commission on Ethics advocate over the last few month. On Mach 6, 2013 the ADVOCATES RECOMMENDATIONS were completed and a report made for the commission. That ADVOCATES RECOMMENDATION found for each of the six allegations, that "There is NO probable cause to believe that Respondent (Dean Davis) violated"..... a section of the Florida Statute.

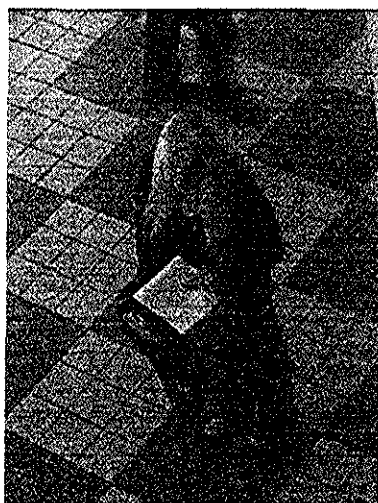
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[Picture of Dean at the Hearing \(click here\)](#)

Zip, nada, zilch, over and done.

On Wednesday of next week, I have been told that the Florida Commission on Ethics will publish a "Press Release" on their website to confirm what I am posting here.

This is the second Ethic Complaint filed against him that has been dropped.



A SIDE BAR FROM THE WAITING ROOM

Last Thursday April 25 at our CRA meeting Sue Weller suggested for the top of her CRA list of things was a railroad museum in the "old Station Bakery building". (Linda Rice Chapman was NOT at the CRA meeting. She told Dean Davis she was in Tallahassee.)

THIS "OLD STATION BAKERY" BUILDING USE COMMENT WAS THE FIRST TIME THIS WAS EVER SAID AT A PUBLIC MEETING.....

Correction... Apparently this was mentioned at a meeting I missed Jenny was not sure if Chapman attended. So correction to above, it was mentioned at a previous meeting.

Now, while Dean Davis was in the hearing waiting room and speaking to Linda Rice Chapman, some small talk took place.

One of her comments to him was this..

"I understand that there has been a lot of discussion about using the "old Station Bakery building" for a railroad museum".

So while it was discussed at a meeting, why is it becoming a possible "only option" use. I think if you measured it, you would find it is too small.

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FrontPage Faith FunnyFacts

FUNNY FACTS ABOUT HIGH SPRINGS

I HAVE DECIDED TO POST FUNNY FACT NOT JUST OF MEETINGS AND ANTICS AT CITY HALL, BUT FUNNY FACTS FROM AROUND OUR TOWN.

SO HERE ARE TWO FUNNY FACT FROM THE OBSERVER MONTHLY PAPER THAT IS OWNED AND OPERATED BY Barbara A. Llewellyn. ONE ABOUT BARB AND ONE ABOUT HER PAPER.

BARBARA TOLD ME SHE DOES NOT (fixed this) SHOP FOR GROCERIES IN HIGH SPRINGS. SHE HAS AN UNUSUAL REASON FOR NOT SHOPPING AT WINNDIXIE.

THE PARKING LOT MAKES BARB UNCOMFORTABLE. DOESN'T LIKE THE TRAFFIC GOING AROUND IT. SO SHE SHOPS FOR GROCERIES AT PUBLIX'S.

NEXT

THERE ARE MONTHLY RECIPES ON A PAGE THAT IS CALLED FOOD FOCUS by Lucie Regensdorf. RECIPES THAT ARE SEEMINGLY CREATED BY LUCIE. BUT ARE THEY? I HAVE ONLY SEEN ONE CREDIT TO ONE SOURCE TO A RECIPE ORIGINATORS.
Cuisine at home Magazine

BUT IN DOING A GOOGLE SEARCH OF OTHER RECIPES, IT SEEM THAT THEY ARE JUST REPRINTS FROM OTHER SOURCE AND NOT ORIGINAL. NOW I DON'T BELIEVE THAT IT IS AGAINST THE LAW, BUT SHOULDN'T THE PAPER GIVE CREDIT TO THE ORIGINATOR AND TEST KITCHEN THAT ACTUALLY DID THE RECIPE. AND IN MANY OF THE CASES IT SEEMS THE TRUE SOURCE IS FOOD NETWORK. BUT NO CREDIT GIVEN.

SO IF YOU LIKE RECIPES THAT ARE REPRINTS OF OTHER PEOPLES WORK AND THEIR TEST KITCHENS, THEN ONE CHOICE CAN CERTAINLY BE THE OBSERVER.

AND IF YOU WANT TO SEE MANY MORE FINE ORIGINAL RECIPES BEFORE REPRINTING THEN GO TO FOOD NETWORK.

HERE IS A RECIPE FROM THE FOOD NETWORK WEBPAGE FOR CREAMY SPRING PEA WITH PANCETTA.
[CLICK HERE](#)

BELOW IS AN EXACT WORD FOR WORD REPRINT FROM THE APRIL 2013 OBSERVER FOR CREAMY SPRING PEA WITH PANCETTA.

"Add the flour to the drippings in the skillet and cook, whisking, until toasted about 1 minute"
Note: Kosher salt and low sodium chicken broth too.

NOTHING SERIOUS, JUST A FUNNY FACT TO ME, THAT INSTEAD OF THE PAPER PRINTING THE RECIPE AND GIVING CREDIT TO THE ORIGINAL CREATOR, THE PAPER MAKES IT APPEAR AS THOSE OF ANOTHER..



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Front Page Faith Funny Facts

Update and more

updated 4/26/2013 9:30PM

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Then of course there was that special Zumba lady again. After the meeting she drove past Commissioner Gestrin and Robyn Rush and fired off the usual middle finger.

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One of her comments to him was this...

"I understand that there has been a lot of discussion about using the "old Station Bakery building" for a railroad museum".
What? I ask, how did she know about this? Just asking? Amazing stuff.....

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Front Page Faith Funny/Facts

Update and more

updated 4/18/2013 8:30PM (Funny Facts)

This is the Charter Preamble for the City of High Springs, Florida
TIME TO GO BACK TO BASICS READ IT PLEASE



This municipal government exists to protect the governed, not the governing, and exists in order to provide the public with full and accurate information, to promote efficient administration management, to make government accountable to the people, and to ensure fair and equitable treatment to all persons. The orderly, efficient and fair operation of government requires the participation of individual citizens. Citizens are encouraged to exercise their rights with dignity and restraint so as to avoid any sweeping acceleration in the cost of government because of the exercise of individual prerogatives, and individual citizens are encouraged to grant respect for the dignity of public office

It says this:

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**" This municipal government exists to protect the governed, not the governing".
"TO PROVIDE THE PUBLIC WITH FULL AND ACCURATE INFORMATION".**

I ASK, 'IS THIS BEING DONE BY THE CHARTER OFFICERS AND THE MAYOR SUE WELER '?
FROM WHAT I HAVE BEEN FINDING OUT IN THE LAST FEW DAYS I THINK NOT...

THE MISINFORMATION. THE BACKROOM DEALS AND THE TELL ONE AND NOT ALL OF THE PAST HAS RETURNED TO CITY HALL

THEN THERE IS THE NEW AMENDED BUDGET .OMG. THERE IS A HELEN MCGIVER EMAIL THAT SAYS WE ARE TO HAVE A RESERVE OF \$299,230.44 ON 9/30/2012. BUT THAT WE ARE SHORT ALMOST \$90,000.00. THIS EMAIL WAS TO THE AUDITOR THIS NEW AMENDED BUDGET WE ARE TO BE LOOKING AT SEEMS TO NOT TAKE RESERVES INTO ACCOUNT THEN THERE IS THE ISSUE OF WHAT I CALL THE SHUPE RESERVE. A TWO MONTH EMERGENCY RESERVE.

WHERE IS IT IN THIS BUDGET?
I AM NOW BEGINNING TO BELIEVE HELEN LEFT US A SMOKE AND MIRROR PUZZLE THAT THIS CITY MANAGER AND ALL COMMISSIONERS BOUGHT INTO

NEWS FLASH

I JUST LISTENED TO A BUDGET MEETING. HELEN SAYS WE HAD EXTRA FUNDS. BUT THEN LISTEN CLOSELY TO WHAT SHE SAID NEXT VERY QUIETLY THAT NO ONE HEARD.

THERE IS NO EXTRA/FOUND \$300,000.00...NADA, ZIP AND ZILCH AS THE ATTORNEY GURU WOULD SAY.
SEE YA AT THE BUDGET MEETING AND I WILL MAKE IT ALL PUBLIC

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FrontPage Faith FunnyCats

Update and more

updated 4/16/2013 8:10AM

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"TO PROVIDE THE PUBLIC WITH FULL AND ACCURATE INFORMATION".

I ASK, "IS THIS BEING DONE BY THE CHARTER OFFICERS AND THE MAYOR SUE WELLER" ?

FROM WHAT I HAVE BEEN FINDING OUT IN THE LAST FEW DAYS I THINK NOT...

THE MISINFORMATION THE BACKROOM DEALS AND THE TELL ONE AND NOT ALL OF THE PAST HAS RETURNED TO CITY HALL

THEN THERE IS THE NEW AMENDED BUDGET...OMG

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Front Page Faith Funny Facts

Update and more

updated 4/17/2013 10PM

This is the Charter Preamble for the City of High Springs Florida
TIME TO GO BACK TO BASICS READ IT PLEASE



This municipal government exists to protect the governed, not the governing, and exists in order to provide the public with full and accurate information, to promote efficient administration management, to make government accountable to the people, and to ensure fair and equitable treatment to all persons. The orderly, efficient and fair operation of government requires the participation of individual citizens. Citizens are encouraged to exercise their rights with dignity and restraint so as to avoid any sweeping acceleration in the cost of government because of the exercise of individual prerogatives, and individual citizens are encouraged to grant respect for the dignity of public office

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THEN THERE IS THE NEW AMENDED BUDGET...OMG. THERE IS A HELEN MCGIVER EMAIL THAT SAYS WE ARE TO HAVE A RESERVE OF \$299,230.44 ON 9/30/2012. BUT THAT WE ARE SHORT ALMOST \$90,000.00. THIS EMAIL WAS TO THE AUDITOR. THIS NEW AMENDED BUDGET WE ARE TO BE LOOKING AT SEEMS TO NOT TAKE RESERVES INTO ACCOUNT. THEN THERE IS THE ISSUE OF WHAT I CALL THE SHUPE RESERVE. A TWO MONTH EMERGENCY RESERVE. WHERE IS IT IN THIS BUDGET?

I AM NOW BEGINNING TO BELIEVE HELEN LEFT US A SMOKE AND MIRROR PUZZLE. THAT THIS CITY MANAGER AND ALL COMMISSIONERS BOUGHT INTO

NEWS FLASH ☺

I JUST LISTENED TO A BUDGET MEETING HELEN SAYS WE HAD EXTRA FUNDS. BUT THEN LISTEN CLOSELY TO WHAT SHE SAID NEXT VERY QUIETLY THAT NO ONE HEARD

THERE IS NO EXTRA/FOUND \$300,000.00...NADA, ZIP AND ZICLH AS THE ATTORNEY GURU WOULD SAY.

SEE YA AT THE BUDGET MEETING AND I WILL MAKE IT ALL PUBLIC

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Front Page Faith

Update and more

updated 4/12/2013 8PM



Sorry I missed the meeting last night, am fighting the flu bug and soar throat would not have benefited from being there. I did talk to Jenny and got a highlight of the meeting. Best part is that Sue Weller will be running again.

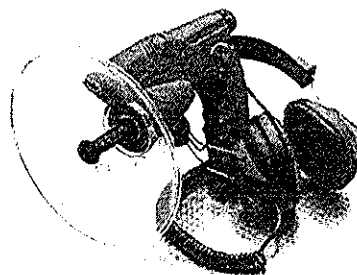
I hear all commissioners got a budget report too. I did not

Oh and I heard a great story of Bruce Borders and the Fire Department staff.

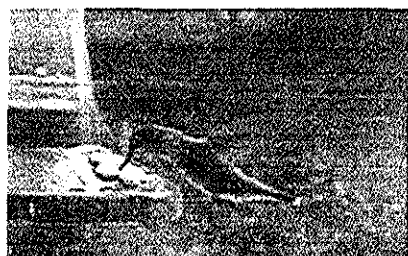
I hear that ACT did a story on traffic cameras. I also got a call from WCJB about them. When I told them that the cameras are part of the Smart Traffic program. the chuckle was good to hear. Seems that news mole that gets stories to the press has not had anything worth TV time. Maybe there will be one coming from the FEC

You know months ago I would go out to my car after a meeting and would see two commissioners talking in the parking lot. Was interesting that the conversations lasted so long. But while I could not hear what they said, I was able to hear the call of the Eastern Whippoorwill bird in the background. It talks alot at night and I wanted to hear its call better. You all might not know I am an avid bird watcher. Just another one of my many delights in life

So to hear those 'birds' better I bought a piece of equipment. Have had it for close to two months and gotten lots of use out of it. Just finding out there is more background noise I hear instead of the birds. But some background noise can also be interesting. Anyway. Here is a picture of my latest toy.. For bird listening of course. And I have heard some great songs.



I like taking pictures too.



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Front Page Faith Cell Towers

Update and more

updated 4/9/2013 10:30PM

Apparently things really never change. Pay them more money and the spots never change.
Seems a city manager decided NOT to tell the council.
Go figure. You can't make this cockamamie stuff up.
Zephyrhills misses out on state grant to aid poor



ZEPHYRHILLS -- Zephyrhills was eligible to receive hundreds of thousands of dollars in state grant funding this year for homeless prevention, but City Manager Jim Drumm didn't tell the council about the grant. "I'm a little disappointed we didn't even know about it," Councilman Lance Smith said. "I think that's a shame. There's a lot of people who could have been helped with that money." Officials with the county's Coalition for the Homeless notified Drumm and Dade City Manager Billy Poe that both municipalities could apply for the state Emergency Services grant. Dade City applied and received.

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

Many of you have read in the papers there was a lawsuit filed against the City of High Springs concerning the Ballot issue to limit debt.

This is true. It was filed by Ross Ambrose and by his attorney Linda Rice Chapman.

It was heard by Judge Griffis. He told both sides to request a trial. Some how neither side did what the judge said. Then there was a compromise and an offer to render the ballot issue "ab initio" was made. The Judge accepted the city offer. He also denied attorney fees to Linda Rice Chapman. His ruling was made on October 31, 2012 in a 15 page document. It gives both sides some wins and some losses. But on page 14 it says this, "The City Commission Motion to Dismiss is granted in part and denied in part. Plaintiff has pled for declaratory relief, based on alternative theories of the City Commission's violation of Section 286.022 and 166.041. Florida Statutes. The facts and alternative theories are co mingled. Therefore, the claims for relief based on Section 286.011 are dismissed with prejudice. As to the remaining claims, the City Commission shall file an Answer to the Complaint within (10) days from the date of this order.

This ruling would give back Ross Ambrose his filing fees. But it would not give Linda Rice Chapman a dime....because it says, "with prejudice"....

Both sides filed answers and motions and in court the Judge asked why they did not set for trial. He was not happy. No one had a good answer, and Paul Regensdorf was now in the mix.

Since this ruling the Judge reaffirmed his "with prejudice" ruling. No money for Chapman.

Now Paul Regensdorf took charge. And Linda Chapman is now saying she is not involved. It seems Paul Regensdorf is asking for money only. It seems he is asking for money for Linda Chapman. Remember he stated at a meeting he would get involved "pro bono". Really.

So now you have most of the truth of the story. But here is more.

The attorney representing the city is Linda Edwards. Now remember the Judge ruled on October 31, 2012. Well here is the twist. On November 1, 2012 (the very next day) Linda Chapman sends a letter to the CITY attorney (going around the insurance attorney Linda Edwards) and asks for money. She completely ignores the Judges ruling. She does not ask Linda Edwards to communicate with Mr. Walker. This is not good.

This is so not good, there is an email from Linda Edwards TO Linda Chapman telling her it is not good....I have asked for this email....

So please click on the link below and read the letter Linda Chapman sent to our City Attorney Scott Walker and what she said about Linda Edwards. After the Judge ruled the day before "with prejudice", she is now doing an end around to Walker, throwing Linda Edwards under the bus, and asking for \$24,331.35 and moreover money from three commissioners.

[click here](#)

Remember the Judge just told her it was over. Done, finished and goodbye.

Scott Walker replied the next day and said to her, "In response to your offer of settlement, please provide the authority on which you rely for Mr. Ambrose's claim for attorney's fees. I would note, the Court dismissed with prejudice"

[click here](#)

All seemed over, until Paul Regensdorf has filed an appeal. An appeal that again is by him according to Linda Chapman in a letter sent to the Florida Bar.

So why is this being appealed by an attorney who is pro bono? Why did Linda Chapman pull out? Why did Linda Chapman try to go around Linda Edwards?

This is the truth of where this lawsuit is right now. But the big question I keep asking the commission is, "what about the 1801 votes"? What can we do to tell those voters what has happened to their vote?

So who won? No one....You can't make this cockamamie stuff up.
And when I maybe get that email from Linda Edwards.....or
Maybe Linda Chapman will give it to the Alachua Today to publish. :).

Also, remember Popoli was asking the city to settle for over \$100,000.00. Well That is still out there.
And now there is another lawsuit against the City for something Chief Jim Troiano was alledged to have done.

And a personal lawsuit against him too...

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FrontPage Faith CellTowers

Meeting update and more

updated 4/4/2013 6:30PM



STARTING TOMORROW ETHIC COMPLAINTS
THE ONES THAT ARE OUT THERE NOW. WHOS CONNECTED TO WHO IN THESE FILINGS AND MOST OF ALL THE TRUTH AND
THE LIES.
YOU WON T WANT TO MISS THIS

Mogler closed on downtown building 4/2/13 sold for \$164,000.00.

Was it all about the noise?

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Front Page Paul Regensdorf Suzie Faith Spring Cleanup

High Springs City updates

I'm back.....



updated
3/21/13 8PM

OK. I spent 4 night relaxing with no TV, limited communication.
So I had lots of time to think about what was said at the last city meeting.

What was said in a email from John Manley III. (tomorrow)

Let look at how many public figures (NOT elected officials) here in High Springs have Codes of Conduct in their profession. How many hold positions that have a code.

And tomorrow, I will post some more opinions on what has happened in the last few week and especially what happened at the last meeting with the Code of Conduct issue.

It was said by Vice Mayor Jamison that he wasn't raised to treat someone the way I did. He took another cheap shot that HIS parents would not be pleased with HIM had he treated someone like I did.

And in the Code of Conduct that was presented on his behalf by our city attorney, he forgot about all of that in his presentation.

SO I would ask this of Vice Mayor Jamison. What would a parent think of a daughter that had potty mouth to many? That fired the middle finger on a regular basis? That would treat senior citizens like dirt? Just askin Scotty...

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[Poe Springs Facebook](#)

Suzie page actually did not go away I have one question nagging me.

Oh, and a gavel for an oops calling a park Hewlett Park. So I guess I need to remember James Paul Park is James Paul Park. But Hewlett Hollow is a name I use for my fictitious town called Cockamamie...Where you just can't make this stuff up.

I hear a new antique shop is coming to downtown High Springs.

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Front Page Paul Regensdorf Sizre Faith Spring Clean

Just stuff update



updated 3/22/13 10PM

Hypocrite of the week Award.

John Manley III

The new agenda is out for the next meeting. March 28th. I gotta tell you all. Five month into this new majority commission and I am now gonna call it the "Spinning wheels three Commission".

Where is the audit that was promised for this agenda? And the finance director took a hike... coincidence?

The code of conduct thing is back with a new name asking for "behavioral controls". You really, really could not have made this stuff up. This new majority has fixated on controlling Bob Barnas. Stopping my comments and trying to sweep the past under the rug. This is the focus of every meeting.

Byran Williams has not placed ONE issue on an agenda to help the city. Scott Jamisen maybe did a few superficial things. Bryan does get a nap in from time to time.

And I understand the CRA workshop was NOT controlled by him as chairman of the CRA. but the city manager as executive director. And control was non existent

So lets see where this "behavioral" control goes. Lets see how much time will be devoted to it. I can't wait for this meeting where I can mention what happened to Jan Levitt at the break at the last meeting. And I can't wait to talk about who also should be "behaviorally" controlled....

NEXT

Mr. Manley wrote another of his attack emails. So much for starting fresh.

Now for the joke of the week and Hypocrite award.

John Manley III and his Linkedin page you win.

[click here](#)

50 organizations listed. Most financial and most have financial codes of conduct.

Read that he says he is on the High Springs Parks and Recreation Committee.

Is he, really? And if not and he is embellishing his Linkedin bio?

Is he embellishing everything?

You be the judge of this financial wizard. I just can't stop laughing....



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High Springs City updates

On vacation enjoy your 3/19/2013 meeting.

Now click on a link below to see more of the good side of High Springs



updated
3/15/13 12:45AM

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[Poe Springs Facebook](#)

Suzie page actually did not go away. I have one question nagging me.

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PAUL REGENSDORF PAGE



Just sayin . You can t make this Cockamamie stuff up .or can you?

Ready aim shot favorite saying?

This has been his comment at meetings when he doesn t like commissioners making a decision without maybe not having enough information or really listening to his position and voting the other way. He would just love to debate things fore-ver until he gets his way.

He most recently has been complaining about the fact that the last commission majority has brought back the police dispatch. He said something like if it costs too much we should get rid of it So its been clear from listening to him he does not like having our own dispatch

He justs does not get the fact that our LOCAL dispatch is what we now have better than ever.

With the flip of a switch we can have direct communication with the Community School. ASO cannot do that We can

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[Front Page](#) [Paul Regensdorf](#) [Suzie](#) [Faith](#) [Spring Cleanup](#)

High Springs City updates

I submitted a Letter to the Editor to the Alachua County Today yesterday.
Will they print it? Will they edit it? Find out tomorrow.



updated
3/13/13 11PM

Now click on a link below to see to good side of High Springs
[Visit High Springs Florida Facebook](#)
[Poe Springs Facebook](#)

Now the stories running in both papers call me out for getting upset at a local public figure and political supporter of Mayor Sue Weller, Vice Mayor Scott Jamison and Commissioner Byran Williams. This person now has a select page on my website so please read this page and check out more about her on the "Suzie" page.

Suzie Clark for the last 3 or so years has campaigned against almost anything I have done. She has called me out in commission meetings. She has made obscene gestures to me as I am around town. And oh so much more in accusations and stories.

More importantly she went door to door with Byran Williams walking up to doors where another candidate had signs and asked, "what can we do to get your vote"? She walked door to door with Commissioner Byran Williams to these select homes. It was her that walked up to those doors (with Byran standing back) and asked this question. "What can we do the get your vote".

Basically asking people to trade/switch their vote for a favor.

At a Commission meeting she was escorted out of the meeting by the police chief after she was speaking at the podium where she was talking about cleaning up things. Then with no warning quickly came around the podium, approached the dais where all commissioners sit and dumped a bag of dirt and string on my computer and desk area. And while doing it said "now clean this up".

Her most recent issue with me was her treatment of the senior citizens at the High Springs Civic Center. Over the last several months she has been given "free" use of the building by the city. Her and her group were suppose to use it, clean it and rearrange the sitting area so the seniors can come in and then use it for their meals and activities. On many occasions she has not kept her side of the bargain and conflicts have turned into accusations and more. She constantly has made it difficult for the seniors on the days she is there.

Over the Valentines Day period a group of people organized a party for the seniors. The city scheduling of the space created a problem and the party date was shifted to a Monday (Zumba exercise day). There were around 3 Zumba people using the place and it was cold outside. They wanted to come in and wait inside till it was there time to use the space. Suzie said no.....

A heated discussion began and she insisted she had the space until a certain time on the clock. She then pulled out her agreement with the city and told this to the seniors standing outside. Basically telling them to go away and come back at "their" designated time. No middle ground. No OK, we can work this out. Just go away.

In the picture on the Suzie page, she has the agreement next to her and is calling the city manager to complain about 30 or so senior citizens, wanting to come inside. Wanting to take part in a Valentines Day Party.

This is what made me upset again. You see Suzie Clark gets just about whatever she wants from the new majority of Commissioners.

She helped Byran Williams win his election, she supports Mayor Sue Weller and Vice Mayor Scott Jamison, and now she acts like the city is hers. This is Suzie Clark.

NOW

There is oh so much more good going on in High Springs that these two papers can write about. But they feel

There is so much more good going on in High Springs that these two papers can write about. But they seem writing about Bob Barnas is the thing to do to make him look bad. The Alachua Today paper NEVER asked me my side of this story. The Observer called me and refused to print what you are going to read here.

What you read in both papers is usually done this way when it comes to politics. They want to sell or give newspapers to be able to tell the people who buy ads in them that they have a circulation number. Not that the news is good. Its all about the bucks.

Ask yourself why are they not telling you about:

- 1) The Fire Station construction of the new building with donated funds is about to be finished.
- 2) The youth baseball event coming to High Springs and how many people will be there
- 3) How \$320,000.00 of High Springs money was "discovered" in a budget balance why was it "missing" in the first place.
- 4) And here is the big one. 1801 voter in High Springs voted at the last election to limit the debt the city could take on. Limit it to \$1,000,000.00 by the city commission. Anything more would require a vote by the High Springs voters. Stories have been written about this as if three commissioners create a problem. Far from the truth..The truth is that the "bestest friend" (Linda Rice Chapman of Alachua) of Mayor Sue Weller filed the lawsuit that we are facing for Ross Amorse. And your 1801 vote may not count. Thanks Commissioner Weller.

And here's the kicker to all this. It was Mayor Sue Weller (then Commissioner Weller) that made the motions to change it to \$3,000,000.00 or \$2,000,000.00 that created the problem the lawsuit is focusing on as a substantial change. Not the Ordinance process that has been reported. The motion by Sue Weller that was done to increase the amount is the real problem that no newspaper has focused on.

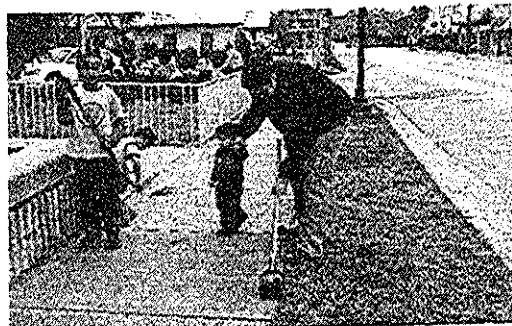
Please come back for more truth on what happens here in High Springs.
And I thank the papers for getting the information out that there is a place to go to read more about their stories and the truth behind the story.

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Arrows Point Paul Regensdorf Suzie Faith Springs Cleanup

City Hall Clean up

Sunday March 10, 2013 Adventurers Club from the Gainesville Spanish Seventh Day Adventist Church came to our city to help clean up. It was a volunteer project coordinated with them and Camp Kulaqua. I expected maybe 5 kids. Close to 30 kids and adults came to do this community project for us. Thanks to them and Camp Kulaqua for the huge effort and great results.



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PAUL REGENSDORF PAGE

He's Back



In the last few days everyone (commissioners and charter officers) got an email from Mr. Regensdorf about Code of Conduct our City having one. It will be on the agenda Thursday night.

He had links to 3 different suggested codes and offered his help to the city attorney and more. Now remember this is the guy who has a appeal to a lawsuit against us with Ross Ambrose. This is the guy who went on a 15 minute rant at a CRA meeting that would violate every rule in these codes he sent us. So I am wondering is there a statute of limitations going backwards on these suggestions he make?

Of course the real question on Thursday will be do these codes violate Freedom of Speech and Expression? Do these very codes stop legitimate debate? I saw one code on line where it says a Commissioner should "not" comment on a subject unless they are fully knowledgeable on the subject. Oh my how did that work for the sewer system fiasco?

Then there is this line from one of the South Miami version that Regensdorf likes:
5. Ensure the integrity of the actions of the each board or the City Commission by avoiding discrimination through the dispensing of special favors or unfair privileges to anyone whether for remuneration or not.

Can you say James Paul Park (aka Hewett Park)?
Can you say thousands of dollars to the CDC?
And what about "bestest friends" conflict of interest?

So with Florida Commission on Ethics they have statute of limitations time that goes backwards. So if Larry Travis violated something 2 years ago and we just find out about it he is subject to a FCE complaint. And if say Byran Williams violated a Florida Election law and we find out we can file a complaint. Will this be the case with a High Springs Code of Conduct? Would the calling of a press conference in the city chambers be a Code of Conduct violation?

I looked at the vote from the one Regensdorf likes from South Florida... it was not unanimous. 3 commissioners (Mayor, Vice Mayor and one Commissioner) voted yes, one was absent and one voted no. Interesting line in the sand there. How about here? Gonna be a good political discussion here this Thursday.

Just sayin'. You can't make this Cockamamie stuff up or can you?

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Front Page Paul Regensdorf Suzie Faith

High Springs City updates



updated
3/10/13 8PM

High Springs basically has two newspapers for now. Both have devoted the last two year to trashing Dean Davis, Bob Barnas and Linda Gestrin. On occasion they post a good story.

Over the last few weeks so many good things have happened here they did not report. So if you want to see good new about High Springs or Poe Springs go to these links below.

Then like the page and keep returning for more good new.

Then save the money you pay these papers for ads no one reads, and use the papers like I do in the litter box. Or at the bottom of the bird cages.

A challenge to the papers coming tomorrow.

Now click on a link below to see to good side of High Springs

[Visit High Springs Florida Facebook](#)

[Poe Springs Facebook](#)

Now the stories running in both papers call me out for getting upset at a local public figure and political supporter of Mayor Sue Weller, Vice Mayor Scott Jamison and Commissioner Byran Williams. This person now has a select page on my website so please read this page and check out more about her on the "Suzie" page.

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More importantly she went door to door with Byran Williams walking up to doors where another candidate had signs and asked, "what can we do to get your vote"? She walked door to door with Commissioner Byran Williams to these select homes. It was her that walked up to those doors (with Byran standing back) and asked this question. "What can we do the get your vote".

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Her most recent issue with me was her treatment of the senior citizens at the High Springs Civic Center. Over the last several months she has been given "free" use of the building by the city. Her and her group were suppose to use it, clean it and rearrange the sitting area so the seniors can come in and then use it for their meals and activities. On many occasions she has not kept her side of the bargain and conflicts have turned into accusations and more. She constantly has made it difficult for the seniors on the days she is there.

Over the Valentines Day period a group of people organized a party for the seniors. The city scheduling of the space created a problem and the party date was shifted to a Monday (Zumba exercise day). There were around 3 Zumba people using the place and it was cold outside. They wanted to come in and wait inside till it was there time to use the space. Suzie said no.....

A heated discussion began and she insisted she had the space until a certain time on the clock. She then pulled out her agreement with the city and told this to the seniors standing outside. Basically telling them to go away and come back at "their" designated time. No middle ground. No OK, we can work this out. Just go away.

In the picture on the Suzie page, she has the agreement next to her and is calling the city manager to complain about 30 or so senior citizens, wanting to come inside. Wanting to take part in a Valentines Day Party.

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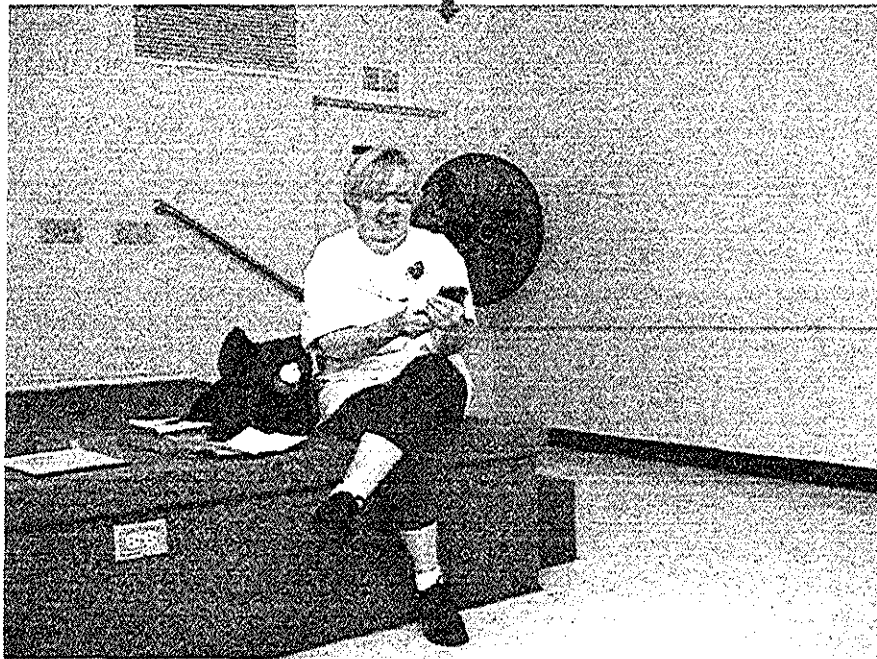
Front Page Paul Regenador Suzie Clark

This is the real Suzie Clark
Suzie Clark update.....

Zumba gets the space free. And takes donations too....
Suzie Clark said so at the meeting Feb. 28th.

When referring to some locals she doesn't like, Suzie Clark said of them:
It reminded me of the TV reality show "Red-Necks on Vacation."

You want to hear more of the truth. Any morning bring a pot luck meal to the seniors at
the Civic Center and ask them how they have been treated by Zumba Suzie..



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[Suzie Clark](#)
[Fair](#)

High Springs City updates



updated 3/8/13 9AM

Today two local newspapers are running stories about this website. With all that goes on in our area this is what they want to write about.

For the last two years both papers have continually run stories to run down SELECT commissioners in the city of High Springs and never report the full and truthful stories, or my side of the story. Please take the time to read this page and others. And come back daily for update on what really happens in High Springs and at the meetings.

Check out the other pages by just clicking on the titles above.

Now the stories running in both papers call me out for getting upset at a local public figure and political supporter of Mayor Sue Weller, Vice Mayor Scott Jamison and Commissioner Byran Williams. This person now has a select page on my website so please read this page and check out more about her on the "Suzie" page.

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Whats in someones garage?



In the next few days. A story about the Observer Newspaper its editor and their reporting of the full story, the truth and more Pull up a chair.



OK, remember the election where those contributors the Hewletts, were holding signs. The Hewletts that made contributions to Byran and I believe Jamison? The same Hewletts that sent a letter to the city to close the park road. And the same Hewletts who were happy the new majority in one of their first meetings voted for the closing of the park road. Nothing else important to deal with correct?

OK, now remember those bike racks that CRA money went to fund? Remember when a rack was used to promote Byran? (look at the picture) Whose bike racks are they actually? CDC or the city? Or the Hewletts?

Where is this bike rack now?

I think it might be in a supporters garage? Another reward, just borrowing it? Or just storing it there? (UPDATE)

Can you say Hewlett or maybe Ambrose? So in closing, why is it there and not in city possession? inventory control by the Hewletts or Ambrose for the Hewlett park I guess. Just askin. .you can't make this cockamamie stuff up.

updated 3/7/13 9pm

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Update



Compiling documents and getting ready for a visit to Jacksonville.

Who said this? Here's the answer.

"With regard to Mr. Drumm" Coughlin said, "we could not reconcile the differences between the role of the commission, which is to set the policy, and his role, which is to administer the government."

Just wanted to point out that it seems like ground hogs day.
Same theme over and over.
Hoping we got that behind us.

updated 3/6/13 9pm

Was reading a Gene Levine letter to the editor.
A question, what ever happened to tha printing business he had?

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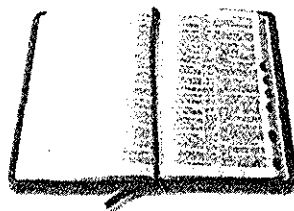
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When surrounded by evil and the presence of the devil himself.

Ephesians 6:10-18

The Whole Armor of God

Finally be strong in the Lord and in the strength of his might. Put on the whole armor of God that you may be able to stand against the schemes of the devil. For we do not wrestle against flesh and blood but against the rulers against the authorities against the cosmic powers over this present darkness against the spiritual forces of evil in the heavenly places. Therefore take up the whole armor of God that you may be able to withstand in the evil day and having done all to stand firm. Stand therefore having fastened on the belt of truth and having put on the breastplate of righteousness and as shoes for your feet having put on the readiness given by the gospel of peace. In all circumstances take up the shield of faith with which you can extinguish all the flaming darts of the evil one and take the helmet of salvation and the sword of the Spirit which is the word of God praying at all times in the Spirit with all prayer and supplication. To that end keep alert with all perseverance making supplication for all the saints



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Update



Faith updated

On Break...

Compiling documents and getting ready for a visit to Jacksonville.

Post for today...who said this? Tomorrow the answer.

"With regard to XXX. XXXXXXX" XXXXXXX said, "we could not reconcile the differences between the role of the commission, which is to set the policy, and his role, which is to administer the government."

updated 3/5/13 1pm

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[SUC](#)
[Faith](#)

Update



FEB 28TH

MEETING IN THE
RECORD BOOK

Smooth Feb 28th meeting until Vice Mayor Jamison went on the attack again. Seems he doesn't like my "blog". Apparently doesn't believe in First Amendment rights.

Commissioner Jamison doesn't like me posting he and others did something wrong or his and others opinion stinks, or lack facts.

Does he remember when Roger Maltbie made the statement that someone needs to take Barnas out. A threat. Or the bag of dirt dumped on the dais by Suzie Clark. Or the disruption by Paul Regensdorf of the CRA meeting. And never, forget his smiles when the Langman/Chapman press conference was orchestrated.

Then there's the Hewletts....remember they wrote that I violated the charter 600 time...not 300 like Linda Rice Chapman said, not 100 like Larry Travis said, but 600....

Where was this "high and mighty Vice Mayor" Jamison when posts were made by his son. Posts by his friends of Concerned Citizens for a Better High Springs on the (City Commissioner run) highspringsblog and the Alachua Today website? The press conference Langman/Rice Chapman orchestrated that made and supported lies or false statement? Oh, not against him, or his contributors. So that was all OK!

NOW

Seems like the new lawsuit Regensdorf mention on the 28th was filed against the city because of something done by Troiano.

The compensatory time issue seems to be getting nearer a resolution. All this going back to the Drumm era. Never addressed then and never addressed up until now. And that letter written by Jeri Langman that said how many people would get compensatory time..oops again.

updated 3/1/13 7pm

It has been said the truth hurts. When you are a liar. I suppose it does.
Print the page, save it..

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Update



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RECORD BOOK

Smooth meeting tonight until the end when Commissioner Jamison went on the attack.

Seems he doesn't like my "blog". Of course he is an educator. But needs to go back to class. A blog is a "interactive website". This "website" is certainly not and never has been interactive. It is my Freest Amendment right. It is not his to take away. Good luck with a resolution to limit my freedom of speech.

Seem he didn't like the Larry Travis vs Jim Troiano liar comment. Seems he doesn't remember when Troiano (at a commission meeting) said Larry Travis directed him (Troiano) to reopen the negotiations with the county, after the commission majority ordered him (Troiano) not too. Troiano said in a meeting that Larry told him to do this. And Larry vigorously denied it. An email (Troiano) that is public record, to the county, says The Mayor told him to.....

And to this date Troiano never recanted his statement that Travis directed him. And Travis insisted that he never told him. So one is not telling the truth. Which one was my question, and still is today.

Commissioner Jamison doesn't like being told he did something wrong or his opinion stinks, or is without fact. I wonder if Commissioner Jamison recalls the posts on "blogs" by his son. The posts by his friends of Concerned Citizens for a Better High Springs. The press conference and his comments and others at meetings and in the press, that made false statements and supported false statements.

I still this the biggest liar in town rests in the name Commissioner Jamison used (with permission) tonight. The Hewletts....remember they wrote that I violated the charter 600 time...not 300 like Linda Rice Chapman said, not 100 like Larry Travis said, but 600....

I have spoken the truth once again tonight. And will do it tomorrow.
Print the page, save it..

This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall. And I admit I am the typo King

11 PM

[Index](#) [Paul Regentson](#) [Suzie](#) [Fairy](#)

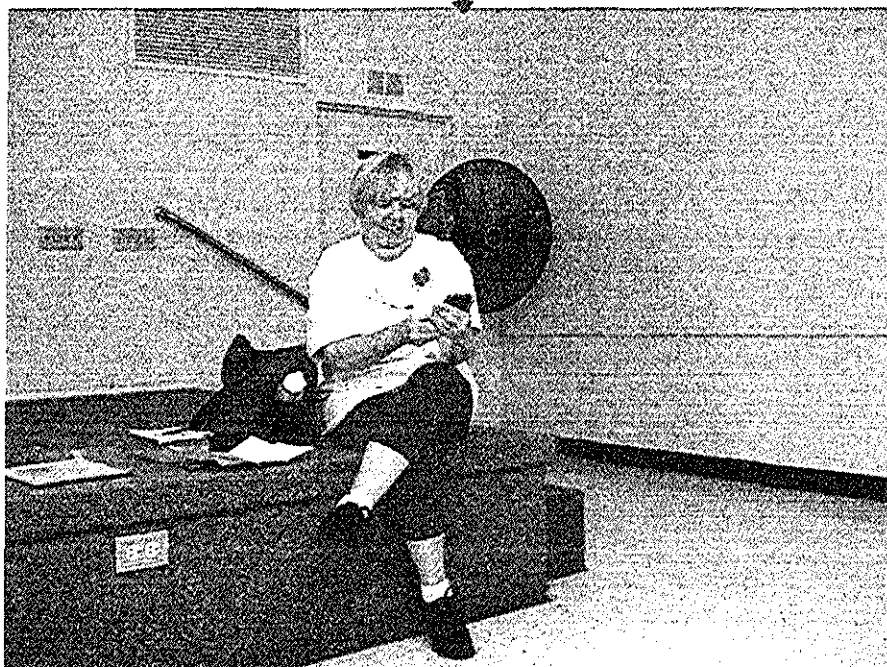
BREAKING NEWS UPDATE

Suzie Clark update.....

Monday morning at the Civic Center. Zumba first Seniors second.

Zumba gets the space free. And takes donations too....

Suzie Clark said so at the meeting Feb. 28th.



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7/1 PM

Index Paul Regenborn Site Fair

Update



NEXT
COMMISSION
MEETING
FEB 28TH

Spoke to the Florida Commission on Ethics and asked many questions.

Look forward to them doing the right thing.

New subject...or back to the old
Concerned Citizens for a Better High Springs

I have a copy of the November 1, 2012 Alachua Today Newspaper that proudly, boldly and blatantly published Four Guiding Principles. Then published the names of all of the members of this Political Action Committee.

I am now reading Florida Law.

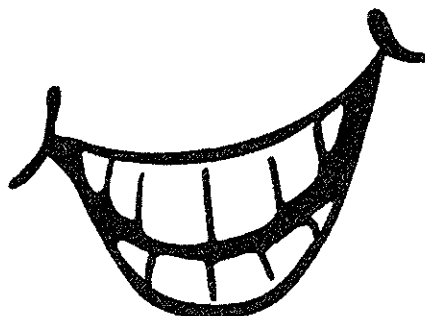
One records request deserves another.
Stay tuned.

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AM

[Index](#) [Paul Regensdorf](#) [Stats](#) [Email](#)

PAUL REGENSDORF PAGE ON BREAK



This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall. And I admit I am the typo King

AM

[Index](#) [Paul Regensdorf](#) [Suzie](#) [Faith](#)

BREAKING NEWS UPDATE

Suzie Clark update.....

Stopped by city hall Monday. No report of disruption of Zumba or the Seniors.
Suppose there is a detente?

huh....just kidding. She's most likely whipping up a new potion.

I'll get a report.

Heard a great story about Russell over the weekend. Wow ...



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AM

[Index](#) [Daily Resurrection](#) [Stories](#) [Forum](#)

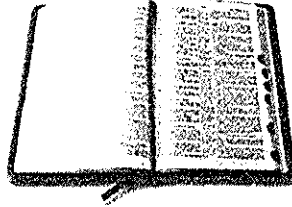
A MESSAGE TO THE LIARS AND NON BELIEVERS AND ESPECIALLY THE TRAITOR ...

2 Timothy 3:13

But evil people and impostors will go from bad to worse as they deceive others and are themselves deceived

Revelation 20:12

And I saw the dead small and great stand before God; and the books were opened; and another book was opened which is [the book] of life; and the dead were judged out of those things which were written in the books according to their works



This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall. And I admit I am the typo King

AM

Holland & Knight

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Holland & Knight LLP | www.hklaw.com

Paul R. Regensdorf
(904) 798-7398
paul.regensdorf@hklaw.com

April 16, 2013

Ms. Sharon L. Yeago
21120 NW 132nd Lane
High Springs, FL 32643

**Re: *Pro Bono Representation -
Defense of complaint filed with Florida Elections Commission
by Robert Barnas***

Dear Sharon:

This letter will confirm that we have agreed to represent you, Sharon Yeago, in connection with the defense of a complaint filed with the Florida Elections Commission by Robert Barnas on a pro bono basis. When we say "pro bono," we mean that we will not collect from you any money for legal services we provide for you in connection with this matter. We may, from time to time, send you invoices of our services rendered which reflect the amount of time and expenses incurred by us on your behalf but which you are not required to pay, unless agreed to otherwise.

Description of Representation

Our representation of you will involve the defense of the charge before the Florida Elections Commission and an attempt to recover attorneys' fees for you pursuant to the paragraph below under Florida Statute §106.265. Our representation will be deemed to have begun on April 8, 2013.

Fees and Costs

Sometimes the courts and other forums will allow us to apply to be reimbursed for our costs (for such things as copying documents, telephone calls, overnight mail, investigators, research, etc) and also for our attorney fees. These applied-for costs and fees will be not be paid by you; rather they will be paid by the other side or a third party in the case. In the event that the court or other forum issues an award of attorneys fees and costs against the other side or third party, you agree that we will be entitled to, and will receive, the portion of any such award attributable to Holland & Knight's work, (although such an award would or may be issued in favor of your name). Any request for an award of attorneys fees and costs would be based solely upon Holland & Knight's work with respect to the above described representation. For any work performed by me with respect to the above described representation, our statement will reflect the time at my regular billing rate of \$505 per hour, subject to being paid solely from a court order award of attorneys fees. Any other attorneys from Holland & Knight working on this matter would have their time reflected at their normal rates, but in no event would the maximum hourly rate exceed mine.

Yeago EL 9

Ms. Sharon Yeago
April 16, 2013
Page 2

Termination

When this matter is concluded, we will no longer be your lawyers unless we have agreed to continue to represent you on some other matter. Either of us can end the representation at any time.

Please sign below if you agree with the terms of this letter and return in the enclosed envelope. Keep the second copy for your records.

We look forward to working with you.

Very truly yours,

HOLLAND & KNIGHT LLP


Paul R. Regensdorf

Approved this _____ day of
_____, 2013

SHARON L. YEAGO

cc: Suzanne M. Judas

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CREDITABLE MATTER

!!!!!!!!!!!!!!!!!!!!!!!!!!!!!! F O R I N T E R N A L U S E O N L Y !!!!!!!!!!!!!!!!!!!!!!!!!!!!!!!
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Billing Attorney George E., Jr Schulz 07000
Multi Responsible Attorney Paul R. Regensdorf 02550 100%
Multi Originating Attorney Suzanne M. Judas 88004 100%
Client : 094000 Pro Bono - Firm
Matter : 094000.05839 Sharon Yeago, defense of complaint
Arrangement : Community Service (094100) & Pro Bono (094000)

9911 PCS Dept
Date Opened: Apr 19, 2013

Matter Rate Code: 1
1=Standard Rate
2=National Rate

FORMAT
SCHEDULE
CLIENT NOTES

*****N*O*T*E*S*****
This is a draft bill format M 3 2
COM

Business Intake: Please fill in matters 6213 - 6911.

ORIGINATING ATTORNEY NEEDS TO REFLECT THE PRO BONO/PCS PARTNER FOR THE OFFICE OPENING THE MATTER.
2/1/14 - BILLING AND RESPONSIBLE ATTORNY SHOULD BE THE SAME, CANNOT BE AN ASSOCIATE.

02/02/11 - Matter 094000.04540 - Special Rate for Donald Goldsmith (68015) @ \$795 effective 01/01/11. (plb)

07-27-05 Proforma Template is prfint

NEW MATTERS: ANY ELECTRONIC NEW MATTER MEMOS WHERE JEFFREY MITTLEMAN IS THE PRO BONO PARTNER YOU MUST CONTACT THE PERSON WHO PREPARED THE WORKFLOW FORM TO SEE WHAT "SUB-PRACTICE GROUP CODE SHOULD BE USED OTHER THAN SUB-PRACTICE CODE "4230"

NEW MATTERS: DO NOT FILL IN MATTER NUMBERS - ASSIGN NUMBERS FROM THE BOTTOM

Yeago Ex 9

ANY ACTION - BILLING, TRANSFERS OR WRITE-OFFS.
NO MATTER TO BE BILLED WITHOUT APPROVAL. THESE
ARE NON-BILLABLE CREDITABLE MATTERS.

The companion file for billing is 086066. (any
CSOFT cost must be changed to hard cost by A/P
prior to billing). Buddy Schulz should be
billing attorney on all companion matters.

ALL MATTERS NON-BILLABLE - PRACTICE 999,
CATEGORY 11
SCHEDULE ALL MATTERS - COM

Arrangement code on matter level is COM.

ALSO NEEDS PRO-BONO PARTNER'S APPROVAL TO OPEN;
Be sure when opening files to put the "Client's
Names" that are on the matter in the matter
description (the Client name is actually "Pro
Bono" and if the names are not on the matter
they are hard to identify). Be sure to tie them
into conflicts as Supportive Parties or if there
are Adverse Parties they should be tied in too,
EVEN if they are NOT LISTED under conflict
information.

When transferring files be sure to change the
scheduling, and watch for names to be put in:
Example - Client Names on tranferred files
should be put in matter desc. & put in the
address on 94000 #'s.

Effective 1/1/06 all duplicating is at \$.10 a
copy

MATTER NOTES

ELECTRONIC ID:

The following is the Matter Address:

Pro Bono - Firm

02/18/14

The following is the Copy To Address, if any:

For professional services rendered through 02/18/14

Our Matter Number 094000.05839

Sharon Yeago, defense of complaint

-----Printed-----						
Date	Timekeeper	Hours	Rate	Value		Status Index
04/16/13	Regensdorf, Paul R.	0.40	505.00	202.00	Review FEC Complaint for appropriate parties	NB 38818508
04/19/13	Regensdorf, Paul R.	0.60	505.00	303.00	Draft opening memo and retention letter	NB 38818639
04/19/13	Regensdorf, Paul R.	0.40	505.00	202.00	Emails with client re: retention and Telephone conference with client re: final details and schedule	NB 38818647
04/19/13	Regensdorf, Paul R.	0.90	505.00	454.50	Draft and revise supporting affidavit for Hewletts	NB 38818649
04/19/13	Regensdorf, Paul R.	1.80	505.00	909.00	Detailed review of complaint and controlling statutes	NB 38821517
04/20/13	Regensdorf, Paul R.	0.80	505.00	404.00	Revise affidavit and Email with Hewletts	NB 38818658
04/20/13	Regensdorf, Paul R.	0.30	505.00	151.50	Email with client re: facts in affidavit	NB 38818659
04/21/13	Regensdorf, Paul R.	1.60	505.00	808.00	Multiple emails with Hewletts, Telephone conference with L. Hewlett, revise affidavit and meeting with Hewletts for affidavit and photos	NB 38818661
04/21/13	Regensdorf, Paul R.	0.40	505.00	202.00	Interview w/ R. Ambrose re: facts for further affidavits	NB 38818662
04/22/13	Regensdorf, Paul R.	0.50	505.00	252.50	Research FEC rules for ultimate dismissal and fees.	NB 38817449
04/22/13	Regensdorf, Paul R.	0.50	505.00	252.50	Review photographs of sign for evidence	NB 38818665
04/22/13	Regensdorf, Paul R.	0.80	505.00	404.00	Emails with B. Boukari re: other FEC complaint	NB 38818667

Date	Timekeeper	Hours	Rate	Value		Status	Index
04/23/13	Regensdorf, Paul R.	0.50	505.00	252.50	Multiple emails with R. Ambros re: Barnas signs	NB	38818697
04/25/13	Regensdorf, Paul R.	0.30	505.00	151.50	Emails with client re: status of response	NB	38818744
04/26/13	Regensdorf, Paul R.	0.30	505.00	151.50	Prepare and file notice of appearance with FEC	NB	38818752
04/26/13	Regensdorf, Paul R.	0.60	505.00	303.00	Telephone conference with with Clerk of the FEC re: format, procedures and appearance	NB	38818753
04/28/13	Regensdorf, Paul R.	0.50	505.00	252.50	Multiple emails with HS citizens re: back up copies of Barnas' blog for response	NB	38818772
04/29/13	Regensdorf, Paul R.	1.70	505.00	858.50	Review Barnas screen shots for response and motion	NB	38821064
04/30/13	Regensdorf, Paul R.	0.90	505.00	454.50	Draft affidavit for Client in support of response	NB	38821461
05/02/13	Regensdorf, Paul R.	0.70	505.00	353.50	Revise and redraft affidavit of Ms. Yeago	NB	38986027
05/02/13	Regensdorf, Paul R.	0.60	505.00	303.00	Review FEC rules and begin case review for response	NB	38986028
05/03/13	Regensdorf, Paul R.	0.50	505.00	252.50	Revise and send draft affidavit to client	NB	38986034
05/04/13	Regensdorf, Paul R.	0.50	505.00	252.50	Emails with witnesses re: barnas's sign	NB	38986046
05/05/13	Regensdorf, Paul R.	1.70	505.00	858.50	Revise partial draft of response and Emails with client	NB	38986224
05/05/13	Regensdorf, Paul R.	0.40	505.00	202.00	Revise affidavit and email with client	NB	38986234
05/06/13	Regensdorf, Paul R.	0.30	505.00	151.50	Emails with client re: affidavit	NB	38986240
05/06/13	Regensdorf, Paul R.	0.60	505.00	303.00	Emails with and Multiple telephone conferences with Ambrose counsel re: affidavits for FEC	NB	38986250
05/06/13	Regensdorf, Paul R.	3.40	505.00	1,717.00		NB	38986269

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Date	Timekeeper	Hours	Rate	Value		Status Index
05/06/13	Regensdorf, Paul R.	0.90	505.00	454.50	Receive and review previous affidavits for inclusion and revise clients	NB 38986270
05/06/13	Regensdorf, Paul R.	0.50	505.00	252.50	Prepare and send email and affidavit to E. MacKinnon re: Barnas	NB 38986274
05/07/13	Regensdorf, Paul R.	4.30	505.00	2,171.50	Emails with client re: response and review, and complete final first draft of review, and revise	NB 38986314
05/07/13	Regensdorf, Paul R.	2.20	505.00	1,111.00	Prepare and review all exhibits, proof and final edit response and file response	NB 38986326
05/08/13	Regensdorf, Paul R.	0.20	505.00	101.00	Email with FEC re: response	NB 38986488
05/09/13	Regensdorf, Paul R.	0.30	505.00	151.50	Emails with FEC re: detail of response	NB 38986494
05/15/13	Regensdorf, Paul R.	0.50	505.00	252.50	Emails with client re: FEC and Rush complaint	NB 38986644
06/12/13	Regensdorf, Paul R.	0.80	505.00	404.00	Receipt and initial review of decision of Florida Elections Commission and Telephone conference with client re: ramifications	NB 39060434
06/12/13	Regensdorf, Paul R.	0.50	505.00	252.50	Review Complainant's blog re: attorneys fees for frivolous complaints and Telephone conference with client	NB 39060580
06/14/13	Regensdorf, Paul R.	0.30	505.00	151.50	Telephone conference with FEC re: notices, 14-day deadline, confidentiality and closing the file	NB 39057933
06/23/13	Regensdorf, Paul R.	0.30	505.00	151.50	Emails with client re: status and timing of FEC Complaint	NB 39138783
06/25/13	Regensdorf, Paul R.	1.30	505.00	656.50	Detailed research into right to recover attorneys fees for false FEC Complaint	NB 39140378
06/28/13	Regensdorf, Paul R.	0.40	505.00	202.00	Email M. Ausley re: reports of Mr. Barnas' previous complaints	NB 39140961

Date	Timekeeper	Hours	Rate	Value	Status	Index
07/05/13	Regensdorf, Paul R.	1.20	505.00	606.00	NB	39213609
						Research various legal options for standard and proof requirements for FEC attorneys fees
07/05/13	Regensdorf, Paul R.	0.70	505.00	353.50	NB	39213612
						Detailed email with CCFBHS steering committee re: meeting
07/05/13	Regensdorf, Paul R.	5.20	505.00	2,626.00	NB	39213633
						Detailed file review, legal analysis, and Mr. Barnas comments review for motion for attorneys fees
07/05/13	Regensdorf, Paul R.	0.40	505.00	202.00	NB	39213662
						Begin outline of motion/petition for fees
07/06/13	Regensdorf, Paul R.	1.20	505.00	606.00	NB	39213625
						Prepare pros and cons of seeking attorneys fees
07/07/13	Regensdorf, Paul R.	2.30	505.00	1,161.50	NB	39213615
						Prepare for and attend meeting of CCFBHS Steering Committee re: attorneys fees
07/07/13	Regensdorf, Paul R.	0.30	505.00	151.50	NB	39213658
						Email with client re: risks
07/08/13	Regensdorf, Paul R.	0.20	505.00	101.00	NB	39213665
						Email with client re: beginning of outline
07/08/13	Regensdorf, Paul R.	1.20	505.00	606.00	NB	39213666
						Multiple emails with from client re: CCFBHS publications and communications, at start
07/08/13	Regensdorf, Paul R.	1.90	505.00	959.50	NB	39213688
						Draft and edit detailed affidavit for Ms. Yeago's consideration
07/09/13	Regensdorf, Paul R.	8.50	505.00	4,292.50	NB	39213736
						Complete initial draft of Petition for fees and initial edits
07/09/13	Regensdorf, Paul R.	0.40	505.00	202.00	NB	39213740
						Emails with client re: revision and draft petition
07/09/13	Regensdorf, Paul R.	0.50	505.00	252.50	NB	39213817
						Emails with client re: revisions to Ms. Yeago's affidavit
07/10/13	Regensdorf, Paul R.	6.30	505.00	3,181.50	NB	39213824
						Edit, revise, compile all exhibits, and file

7/15/13 email to
 2nd entry
 7/17/13 a
 70
 230
 13.00

-----Printed-----					Status	Index
Date	Timekeeper	Hours	Rate	Value		
07/10/13	Regensdorf, Paul R.	0.40	505.00	202.00	NB	39213860
						Emails with FEC re: Petition, August meeting date, and problems with that date
07/11/13	Regensdorf, Paul R.	0.30	505.00	151.50	NB	39213917
						Email with client re: finished Petition
07/11/13	Regensdorf, Paul R.	0.40	505.00	202.00	NB	39213919
						Emails with FEC re:rescheduling hearing for November 13-14
07/11/13	Regensdorf, Paul R.	0.30	505.00	151.50	NB	39213951
						Emails with client re: availability on November 13-14 in Tallahassee
07/11/13	Regensdorf, Paul R.	0.40	505.00	202.00	NB	39213961
						Emails with and Multiple telephone conferences with FEC re: November date
08/30/13	Regensdorf, Paul R.	1.20	505.00	606.00	NB	39464747
						Research into procedures for November meeting, witnesses, presumptions, evidence
09/13/13	Regensdorf, Paul R.	1.20	505.00	606.00	NB	39616579
						Telephone conference FEC and research on attorneys fees hearings and details of procedure
10/18/13	Regensdorf, Paul R.	0.60	520.00	312.00	NB	39796520
						Email with and Telephone conference with client re: any details on November hearing
10/25/13	Regensdorf, Paul R.	0.50	520.00	260.00	NB	39797767
						Emails with client, review of website of FEC, and other internet data for schedule of Nov. meeting
10/28/13	Regensdorf, Paul R.	0.70	520.00	364.00	NB	39795578
						Emails with client re: November hearing
10/28/13	Regensdorf, Paul R.	0.50	520.00	260.00	NB	39795579
						Multiple telephone conferences with FEC re: schedule of hearing for November board meeting
10/29/13	Regensdorf, Paul R.	0.30	520.00	156.00	NB	39798007
						Receive and review final notice of Nov. 13 hearing on fees
10/30/13	Regensdorf, Paul R.	0.50	520.00	260.00	NB	39798164
						Email with E. Lipman of FEC, and receipt of emails from FEC with audio of previous attorneys fees hearing

Date	Timekeeper	Hours	Rate	Value	Status	Index
12/18/13	Regensdorf, Paul R.	0.20	520.00	104.00	NB	40082525
						Receive and review of Mr. Barnas response to amended initial order
12/21/13	Regensdorf, Paul R.	0.10	520.00	52.00	NB	40082678
						Receive and review Mr. Barnas' change of address
12/23/13	Regensdorf, Paul R.	0.70	520.00	364.00	NB	40082683
						Email with and Telephone conference with L. Sellers re: DOAH
12/23/13	Regensdorf, Paul R.	0.30	520.00	156.00	NB	40082685
						Emails with Mr. Barnas re: scheduling
12/26/13	Regensdorf, Paul R.	0.50	520.00	260.00	NB	40082725
						Emails with Mr. Barnas re: seeking conference with judge and possible continuance
12/27/13	Regensdorf, Paul R.	0.20	520.00	104.00	NB	40082728
						Emails with client re: DOAH developments
12/27/13	Regensdorf, Paul R.	0.30	520.00	156.00	NB	40082758
						Email with and Conference with J. Mansfield re: RFP's in computer cases and social media
12/27/13	Regensdorf, Paul R.	1.30	520.00	676.00	NB	40082763
						Draft and Revise RFP to Mr. Barnas
12/30/13	Regensdorf, Paul R.	0.50	520.00	260.00	NB	40082838
						Edit and finalize RFP and emails with Mr. Barnas re: FEC case
01/03/14	Regensdorf, Paul R.	0.70	520.00	364.00	NB	40248469
						Receive and review orders from DOAH on hearing and on pre-hearing issues.
01/03/14	Regensdorf, Paul R.	0.30	520.00	156.00	NB	40248475
						Receive and review order denying request for pre-trial hearing
01/07/14	Regensdorf, Paul R.	0.30	520.00	156.00	NB	40248590
						Email with FEC re: lack of participation in DOAH proceeding
01/07/14	Regensdorf, Paul R.	0.90	520.00	468.00	NB	40248641
						Receipt and initial review of Email with B. Barnas and requests for production
01/08/14	Regensdorf, Paul R.	0.50	520.00	260.00	NB	40248791
						Email with and Telephone conference with client

12/27/13
7th entry
.30
12th entry
.30
total 60

*-----Printed-----
 Date Timekeeper Hours Rate Value Status Index

FEE SUMMARY			*-----PRINTED-----*			*-----ACTUAL-----*		
ATTORNEY	TITLE		HOURS	RATE	AMOUNT	HOURS	RATE	AMOUNT
02550	Regensdorf, Paul R.	Partner	78.10	505.00	39,440.50	78.10	505.00	39,440.50
02550	Regensdorf, Paul R.	Partner	32.80	520.00	17,056.00	32.80	520.00	17,056.00
TOTAL			110.90		56,496.50	110.90		56,496.50

DATE	AMOUNT	COST DESCRIPTION	COST CODE	STATUS	INDEX	VOUCHER #	VENDOR #	CHECK #
04/23/13	5.76	Telephone Call to (352)359-4256 0017.50 Mins., from 25489	Telephone	NB	38424720			
TOTAL	5.76							

COST SUMMARY		
CODE	DESCRIPTION	AMOUNT
E105	Telephone	5.76
TOTAL		5.76

PROFORMA SUMMARY		
TOTAL FEES	56,496.50	
TOTAL COSTS	5.76	
INVOICE TOTAL		0.00



Vote **NO**

on **HIGH SPRINGS**

Charter Amendment

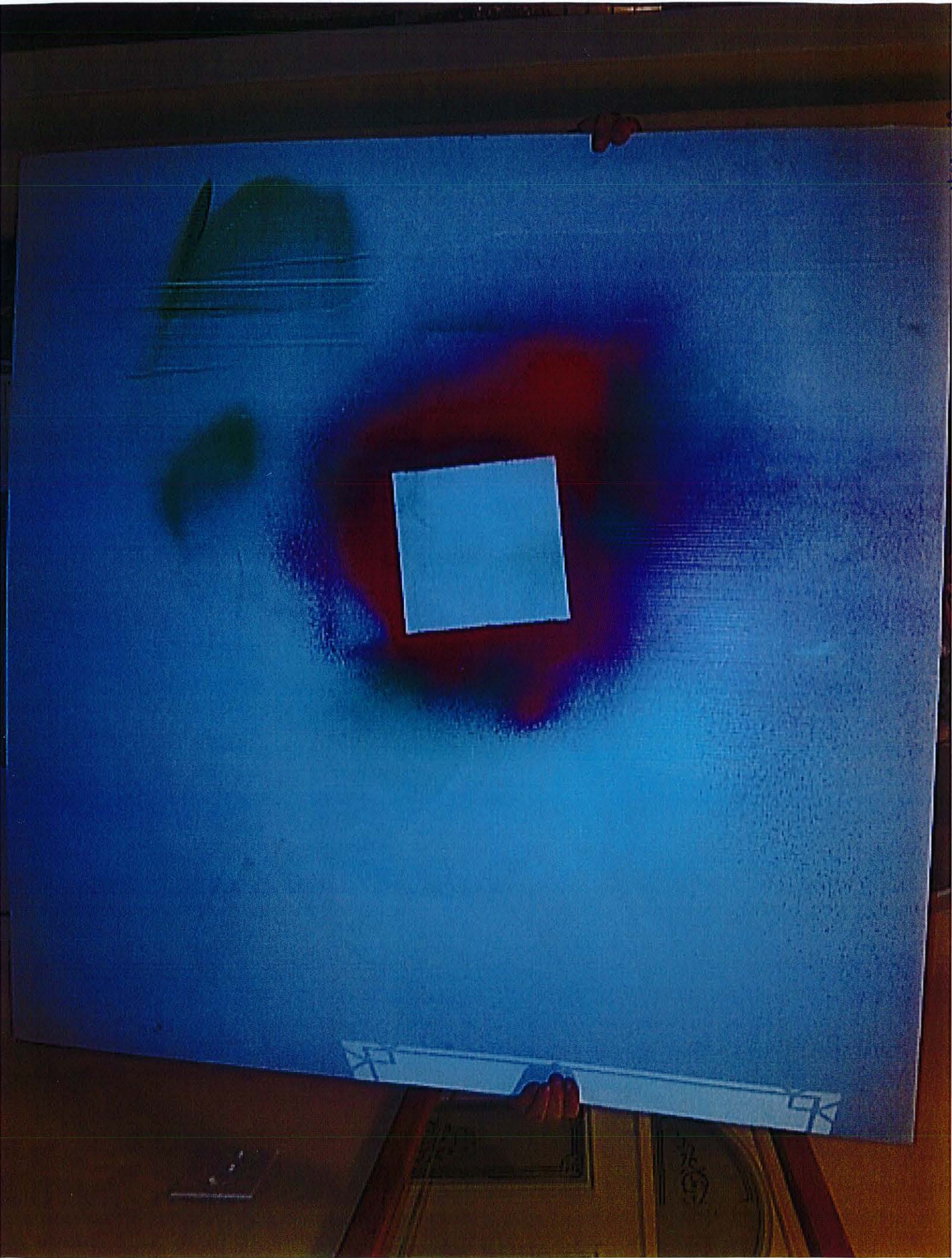


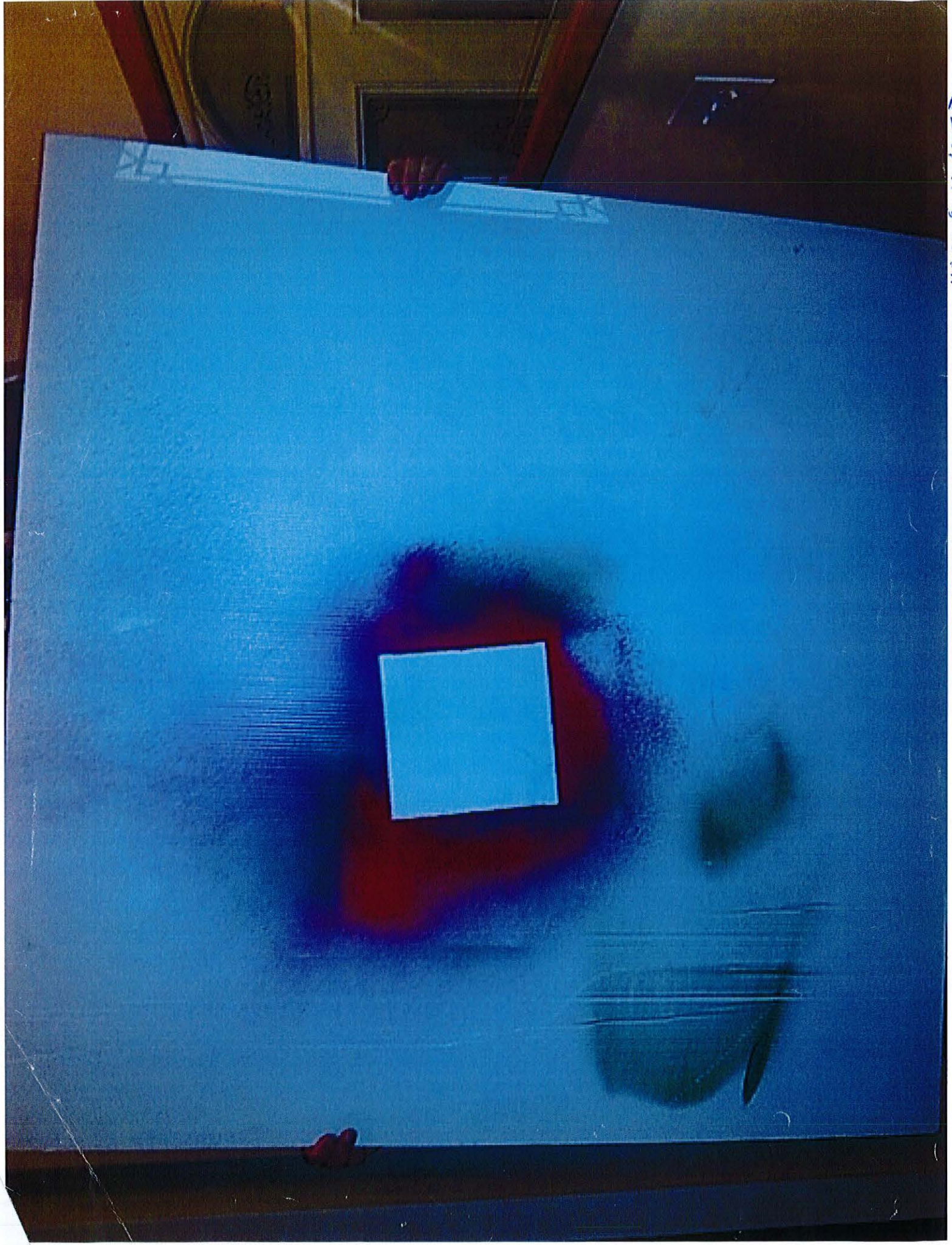
Vote **NO**

on **HIGH SPRINGS**

Charter Amendment

9/24/10





QI 19 01 73 06 90
Y8490 E4 10 67 ID

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

DATE FILED

DEC 05 2012

COMMISSION ON ETHICS

In re **HABIB BRYAN BOUKARI,**)
)
Respondent.)
_____)

Complaint No. 12-209

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

On Friday, November 30, 2012, the Commission on Ethics met in executive session and considered this complaint for legal sufficiency pursuant to Commission Rule 34-5.002, F.A.C. The Commission's review was limited to questions of jurisdiction of the Commission and of the adequacy of the details of the complaint to allege a violation of the Code of Ethics for Public Officers and Employees. No factual investigation preceded the review, and therefore the Commission's conclusions do not reflect on the accuracy of the allegations of the complaint.

The Commission voted to dismiss the complaint for lack of legal sufficiency, based on the following analysis:

- 1 This complaint was filed by Robert J. Barnas of High Springs, Florida
- 2 The Respondent, Habib Bryan Boukari, allegedly serves as Vice Chair of the City of Alachua's Downtown Redevelopment Trust Board.¹
- 3 The Complainant alleges that the Respondent's brother serves on the Alachua City Commission and that the Respondent's 2011 reappointment to the Downtown Redevelopment Trust Board violated the anti-nepotism law. It also is alleged that the Respondent and his mother

¹ Although the CE Form 50 identifies the Respondent as the "Vice Mayor," the complaint itself makes clear that the Respondent is an appointee to the Downtown Redevelopment Trust Board, an unpaid position. His brother, Ben Boukari, is apparently Vice Mayor of the City of Alachua and another brother, Adam Boukari, is the Assistant City Manager.

Yeago 11

partially own and operate a newspaper and that the City places advertisements and official notices in the paper. The Complainant alleges that this results in a "special private gain" to the Respondent, as prohibited by Section 112.3143(3), Florida Statutes

4 Section 112.3143(3), Florida Statutes, provides:

No county, municipal, or other local public officer shall vote in an official capacity upon any measure which would inure to his or her special private gain or loss; which he or she knows would inure to the special private gain or loss of any principal by whom he or she is retained or to the parent organization or subsidiary of a corporate principal by which he or she is retained, other than an agency as defined in s. 112.312(2); or which he or she knows would inure to the special private gain or loss of a relative or business associate of the public officer. Such public officer shall, prior to the vote being taken, publicly state to the assembly the nature of the officer's interest in the matter from which he or she is abstaining from voting and, within 15 days after the vote occurs, disclose the nature of his or her interest as a public record in a memorandum filed with the person responsible for recording the minutes of the meeting, who shall incorporate the memorandum in the minutes.

This statute prohibits a public official from voting on a matter that inures to his special private gain or loss or to the special private gain or loss of a relative, a principal by whom he's retained, or others specified in the statute.

5 Section 112.3143(3) does not appear to have any applicability to the Respondent, based on the allegations in the complaint. Although it is alleged that the Respondent voted on land-planning and zoning issues as a member of the Downtown Redevelopment Trust Board, there is no indication that any votes inured to his special private gain or loss. Therefore, the allegations are legally insufficient to indicate a possible violation of Section 112.3143(3), Florida Statutes.

6. Section 112.3135(2)(a), Florida Statutes, provides:

A public official may not appoint, employ, promote, or advance, or advocate for appointment, employment, promotion, or advancement, in or to a position in the agency in which the official is serving or over which the official exercises jurisdiction or control any individual who is a relative of the public official. An individual may not be appointed, employed, promoted, or advanced in or to a position in an agency if such appointment, employment, promotion, or advancement has been advocated by a public official, serving in or exercising jurisdiction or control over the agency, who is a relative of the individual or if such appointment, employment, promotion, or advancement is made by a collegial body of which a relative of the individual is a member. However, this subsection shall not apply to appointments to boards other than those with land-planning or zoning responsibilities in those municipalities with less than 35,000 population. This subsection does not apply to persons serving in a volunteer capacity who provide emergency medical, firefighting, or police services. Such persons may receive, without losing their volunteer status, reimbursements for the costs of any training they get relating to the provision of volunteer emergency medical, firefighting, or police services and payment for any incidental expenses relating to those services that they provide.

7 The allegations are legally insufficient to indicate a possible violation of Section 112.3135(2)(a), Florida Statutes, by the Respondent. Section 112.3135(2)(a) prohibits a public official from appointing a relative to a position in an agency over which he exercises jurisdiction or control, and here, there is no allegation that the Respondent appointed or advocated for the appointment of any relative.

8 The allegations that the City placed advertisements and meeting notices in a newspaper partially owned by the Respondent implicate Sections 112.313(3) and 112.313(7)(a), Florida Statutes, which state:

DOING BUSINESS WITH ONE'S AGENCY —No employee of an agency acting in his or her official capacity as a purchasing agent, or public officer acting in his or her official capacity, shall either directly or indirectly purchase, rent, or lease any realty, goods, or services for his or her own agency from any business

entity of which the officer or employee or the officer's or employee's spouse or child is an officer, partner, director, or proprietor or in which such officer or employee or the officer's or employee's spouse or child, or any combination of them, has a material interest. Nor shall a public officer or employee, acting in a private capacity, rent, lease, or sell any realty, goods, or services to the officer's or employee's own agency, if he or she is a state officer or employee, or to any political subdivision or any agency thereof, if he or she is serving as an officer or employee of that political subdivision. The foregoing shall not apply to district offices maintained by legislators when such offices are located in the legislator's place of business or when such offices are on property wholly or partially owned by the legislator. This subsection shall not affect or be construed to prohibit contracts entered into prior to:

- (a) October 1, 1975.
- (b) Qualification for elective office.
- (c) Appointment to public office.
- (d) Beginning public employment.

(7) CONFLICTING EMPLOYMENT OR CONTRACTUAL RELATIONSHIP.—No public officer or employee of an agency shall have or hold any employment or contractual relationship with any business entity or any agency which is subject to the regulation of, or is doing business with, an agency of which he or she is an officer or employee, excluding those organizations and their officers who, when acting in their official capacity, enter into or negotiate a collective bargaining contract with the state or any municipality, county, or other political subdivision of the state; nor shall an officer or employee of an agency have or hold any employment or contractual relationship that will create a continuing or frequently recurring conflict between his or her private interests and the performance of his or her public duties or that would impede the full and faithful discharge of his or her public duties.

9 Section 112.313(3), Florida Statutes, prohibits a public officer from acting in a private capacity to sell services to his own agency or any political subdivision thereof. Section 112.313(7)(a), Florida Statutes, prohibits the Respondent from having a contractual relationship with a business entity doing business with his agency. However, Section 112.313(12)(c), Florida

Statutes, contains an exemption for the purchase or sale of legal advertising in a newspaper, and the published notices included with the complaint appear to constitute legal advertising. See also CEO 81-66, where the Commission opined that Section 112.313(3), Florida Statutes, is not violated as long as the subordinate board on which the public official serves plays no role in approving or giving advice on the agency's purchase of services from the subordinate board's member. Accordingly, the allegations are legally insufficient to indicate possible violations of Sections 112.313(3) and 112.313(7)(a), Florida Statutes.

Accordingly, this complaint is hereby dismissed for failure to constitute a legally sufficient complaint with the issuance of this public report.

ORDERED by the State of Florida Commission on Ethics meeting in executive session on November 30, 2012.

December 5, 2012
Date Rendered


SUSAN HOROVITZ MAURER
Chair, Florida Commission on Ethics

SHM/jcc

cc: Mr Habib Bryan Boukari, Respondent
Mr Robert J. Barnas, Complainant

DATE FILED

SEP 14 2011

COMMISSION ON ETHICS

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re JAMES D DRUMM,)
)
 Respondent.)
_____)

Complaint No. 11-098

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

On Friday, September 9, 2011, the Commission on Ethics met in executive session and considered this complaint for legal sufficiency pursuant to Commission Rule 34-5.002, F A C. The Commission's review was limited to questions of jurisdiction of the Commission and of the adequacy of the details of the complaint to allege a violation of the Code of Ethics for Public Officers and Employees. No factual investigation preceded the review, and therefore the Commission's conclusions do not reflect on the accuracy of the allegations of the complaint.

The Commission voted to dismiss the complaint for legal insufficiency, based on the following analysis:

1. This complaint was filed by Robert J Barnas of High Springs, Florida.
2. The Respondent, James D Drumm, allegedly formerly served as the City Manager of High Springs.
3. The complaint alleges that the City of High Springs has been in the process of developing a central sewer or wastewater treatment system for 10 years. The Complainant alleges that the City improperly failed to collect \$2.64 million in user impact fees for the project. He also alleges that after Phases 1 and 2 of the project, the City had \$2 million in federal grant money "left over," and so created a previously-unplanned Phase 4N of the project for the purpose

Yeago Et 12

of using the leftover funds. The Complainant further alleges that in order to authorize the use of the funds, the granting authority (the USDA) required a new Preliminary Engineering Report. The complaint alleges that the Respondent, unilaterally and without either a vote of the City Commission or a bid process, entered into a contract with Jones Edmunds and Associates for engineering services. The Complainant alleges that this action violated the City Charter, as well as state and federal law prescribing which local officials may enter into contracts and requiring bids on contracts exceeding certain thresholds.¹

4. The allegations implicate Section 112.313(6), Florida Statutes, which states:

No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

Pursuant to Section 112.312(9), Florida Statutes, "corruptly" is defined as

done with a wrongful intent and for the purpose of obtaining, or compensating or receiving compensation for, any benefit resulting from some act or omission of a public servant which is inconsistent with the proper performance of his or her public duties.

5. Section 112.313(6) prohibits the corrupt use of one's position for personal gain, or to benefit another. The alleged failure of the City to collect impact fees or otherwise properly manage the project does not identify any actions taken by the Respondent. Therefore, these allegations are legally insufficient to state a possible violation of Section 112.313(6), Florida Statutes.

¹ Specifically, Section 187.17, Florida Statutes, which provides that any municipality may contract by and through its duly authorized officers; Section 255.0525(2), Florida Statutes, which requires public advertising for competitive bids solicited by a political subdivision for construction projects expected to cost more than \$200,000; Section 287.055, Florida Statutes—the Consultant's Competitive Negotiation Act—which requires that agencies publicly announce projects where professional services must be purchased and the cost of the project is estimated to exceed \$325,000 or when the fee for professional services for a planning or study activity exceeds \$35,000, and requires competitive selection for these services

6. With respect to the allegation that the Respondent improperly entered into a contract with Jones Edmunds, in order to state a possible violation of Section 112.313(6), the complaint must also contain factual allegations indicating that the Respondent acted "for the purpose of obtaining" a benefit for himself or someone else. The complaint does not allege that the Respondent himself received any benefit, and while it does allege that Jones Edmunds and Associates benefitted, it lacks any factual allegations which would suggest that the Respondent acted "for the purpose" of benefitting this company. Even if the Respondent's actions violated some other local or statutory requirement², absent this element, the allegation is legally insufficient to indicate a possible violation of Section 112.313(6), Florida Statutes.

Accordingly, this complaint is hereby dismissed for failure to constitute a legally sufficient complaint with the issuance of this public report

ORDERED by the State of Florida Commission on Ethics meeting in executive session on September 9, 2011

September 14, 2011
Date Rendered


Robert J. Sniffen
Chair, Florida Commission on Ethics

cc: Mr. James D. Drumm, Respondent
Mr. Robert J. Barnas, Complainant
RJS/vad

² While Sections 187.17, 255.0525(2), 287.055(4), and 838.22(2) may be standards of conduct against which to measure whether the Respondent's conduct was undertaken wrongfully, these sections are outside the Commission's jurisdiction and their violation, without more, cannot constitute a violation of Section 112.313(6)

Front Page Faith The Truth about Byran Documents Guest Comment

TRUTH - JUSTICE - AMERICAN WAY



YOUR SEWER RATE "\$69.45" - "IT'S EASY MATH" THIS IS JUST ONE OF THE PROMISES MADE BY BYRAN WILLIAMS AS I READ IT IN THE PAPER. SEEMS BYRAN WILLIAMS IS MAKING PROMISES TO MANY. PROMISES TO SOME WHO ARE GETTING WORD TO ME ON WHAT HE IS PROMISING. DOES THE CRONYISM WORD GET BROUGHT BACK AGAIN?

UPDATES

POE SPRINGS HAS INTERESTING SUPPORTER. WILL POST SOON.

LIST OF DONATION TO BYRAN IS IMPRESSIVE.

DEFINE NEPOTISM? RECEIVED CERTIFIED LETTER THAT STATE AGENCY IS LOOKING AT A COMPLAINT.

LARRY TRAVIS ELECTION COMMISSION HEARING FOR VIOLATION IS NOV. 15TH 9AM.

HAVE A TRIP TO TALLAHASSEE COMING UP. MEETING WITH TOP OFFICIAL TO TALK ABOUT.....

NEW PAGE ADDED. GUEST COMMENT

For a little milder side of goings on in High Springs try reading "friends post" (click here)

HIGH SPRINGS DEBT LIMIT VOTE YES YOU CONTROL DEBT AMENDMENT 1 on LAST PAGE

Advertisement paid for by Citizen Concerned for a Better High Springs

SWEARING IN OF NEW FLORIDA ATTORNEYS. THEIR OATH AND FLORIDA BAR ETHICS AS IT MAY RELATE TO A LOCAL TOPIC. (click here) LAWYERS OATH

Judge Griffis ruled on the lawsuit brought by High Springs resident Ross Ambrose and his Alachua attorney Linda Chapman As I see it there are 3 winners.

- 1. The city was found to have made emergency meeting and notices properly.
- 2. There is a question as to the change from \$1,000,000 to \$2,000,000 as made in the lawsuit.
- 3. But the most important winner is the voter. The Amendment will still be on the ballot. The voter will have a chance to make a difference in the final decision with their vote.

Your vote of YES will be considered when this continues after the election.

AS A SIDE NOTE OF THE 203 NAMES ON THE CONCERNED CITIZENS LIST THERE ARE ONLY 108 REGISTERED VOTER IN HIGH SPRINGS.

This website will be posting stories, pictures, videos and comments to local newspapers that travel before and websites. I will also be commenting on any city commission meetings or other of CRA meetings keeping the public informed of the events and happenings in your city (hall) And I don't mind if you type it.

Yeago Ex 15

FILED

05 DEC -1 PM 1:38

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

STATE OF FLORIDA
ELECTIONS COMMISSION

FLORIDA ELECTIONS COMMISSION,
PETITIONER,

v.

AGENCY CASE No.: FEC 04-379
F.O. No.: DOSFEC 06-129 W

FLORIDIANS FOR ALL PAC AND LOUISE
PETERSON, CHAIRMAN,
RESPONDENT.

CONSENT ORDER

The Respondent, Floridians for ALL PAC and Louise Peterson, Chairman, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order

FINDINGS OF FACT

1. The Respondent is an issue orientated statewide political committee that registered with the Florida Division of Elections (FDOE) on July 25, 2003.

2. On June 28, 2006, the staff of the Commission issued a Staff Recommendations, recommending to the Commission that there was probable cause to charge Respondent with:

One count of violating Section 106 143(1)(b), Florida Statutes, failure of a person who makes an expenditure for a political advertisement to mark prominently the political advertisement as a "pd pol. adv" or a "paid political advertisement" and to identify the sponsor

3. On September 1, 2006, the Commission entered an Order of Probable Cause finding there was probable cause to believe that the Respondent violated Section 106 143(1)(b), Florida Statutes, on one occasion.

*Yeago EL 16
for ITD*

4. The Respondent and the staff stipulate to the following facts:
- A. The Respondent is an issue orientated statewide political committee that registered with the Florida Division of Elections (FDOE) on July 25, 2003. The committee focused on supporting the constitutional amendment initiative on mandating a minimum wage level for Florida workers in the November 2004 election. Ms. Louise Peterson was named as the committee's chairperson.
 - B. The Complainant was identified in an October 2004 *St. Petersburg Times* news article as a "political consultant."
 - C. Amendment 5 was a constitutional amendment question on the November 2004 statewide ballot that offered voters the option of mandating a minimum wage of \$6.15 for Florida workers. It passed receiving 71.3 percent of the vote.
 - D. Complainant provided a copy of a videotaped advertisement that she recorded from the television airwaves. Complainant stated the advertisement aired in the Tallahassee area. The advertisement was approximately 10-15 seconds in duration. The advertisement contained information about the alleged impact of low wages in Florida, encouraged citizens to register to vote if they were not, and contained the statement, "Vote for Amendment Five." At some point in the advertisement, it displayed the telephone number of the Leon County Supervisor of Elections' office.
 - E. At its conclusion, the advertisement had a written disclaimer that read, "Paid for by Floridians for ALL PAC. The Floridians for ALL PAC is responsible for the content of this announcement." Additionally, the narrator stated at the advertisement's conclusion that, "The Floridians for ALL PAC is responsible for the content of this announcement."
 - F. The disclaimer should have stated, "paid political advertisement" or "pd pol adv" and contained Floridians for ALL PAC's name and address.

CONCLUSIONS OF LAW

5. Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

6. The Respondent neither admits nor denies that she or the committee violated Section 106.143(1)(b), Florida Statutes.

ORDER

7 The Respondent and the staff of the Commission have entered into this Consent Order voluntarily and upon advice of counsel.

8 The Respondent shall bear her own attorney fees and costs that are in anyway associated with this case.

9 The Respondent understands that before the Consent Order is final agency action the Commission must approve it at a public meeting. After approval, the Consent Order is final agency action of the Commission on the violations listed in the Order of Probable Cause.

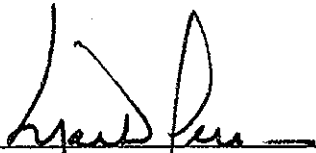
10 The Respondent voluntarily waives the right to any further proceedings under Chapters 106 and 120, Florida Statutes, and the right to appeal the Consent Order.

11 The Respondent will carefully review Chapters 104 and 106, Florida Statutes, and avoid any future violation of the chapter.

12 If the Commission does not receive the signed Consent Order and the fine within 20 days of the date you received this order, the staff withdraws this offer of settlement and will proceed with the case.

13 The Respondent shall remit to the Commission a fine in the amount of \$300. The fine shall be paid to the Florida Elections Commission, 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida, 32399-1050, as a condition precedent to the Commission's execution of this Consent Order.


The Respondent hereby agrees and consents to the terms of this Consent Order on 23 October, 2006.




Mark Herron, Attorney for Respondent
P.O. Box 1876
Tallahassee, Florida 32308

The Commission staff hereby agree and consent to the terms of this Consent Order on

October 26, 2006.


for _____
Charles A. Finkel
General Counsel
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on November 14-15, 2006 in Tallahassee, Florida and filed with the Clerk of the Commission on December 1, 2006, in Tallahassee, Florida



Chance Irvine, Chairman
Florida Elections Commission
107 West Gaines Street
The Collins Building, Suite 224
Tallahassee, FL 32399-1050

Copies furnished to:

Charles A. Finkel, Assistant General Counsel
Mark Herron, Attorney for Respondent (certified mail w OPC)

EXHIBIT 3
(3 PAGES)

ALTERED
"MISSION
ITEM 5"

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>

Vegas 2/17



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p.m., when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission.

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City.

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hs.citizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjam3>

Admin Panel

Edit Page Build Audience See Insights Help Hide

Posts Notifications

Post	Total Reach?	Paid Reach?	Promotion
Concerned Citizens For A Better High S...	16	--	Boost Post
Please Like our page and join us for "Ho...	31	--	Boost Post
This button says it all. Both polls are op...	199	--	Boost Post
Quick Update The previous post indica...	200	--	Boost Post
Yes, in an "off year" your vote counts ...	315	--	Boost Post

Messages See All

- Antione Olivera**
Hey, I come to your page and I really wa...
- Sondra Martin**
Hi, I just "Liked" your page called "Concer...
- Cameron Crest**
sounds great. thanks! Sharon
- Thomas McDonald**
Tom, we've outlined this as a key issue
- Sharron Britton**
The High Springs Emporium is celebrati...

Get More Likes

See Likes

Pages to Watch

Add Pages

Page Tips

Create an ad to get more people to like your Page



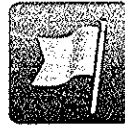
Concerned Citizens Fo...
143 like this
Community
Sponsored

Promote Page

New! Pages to Watch

Add 5 Pages

Track the progress on any Pages you want to watch. You'll see how many likes they get so you can keep up.



Get the Pages Manager App

Manage your Page on the go with Pages Manager for Android.

Send to Mobile



Concerned Citizens For A Better High Springs

143 likes

Community

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

143



About

Photos

Likes

Highlights

Status Photo / Video Offer, Event +



Concerned Citizens For A Better High Springs shared a link via Good Life Community Magazine January 16



Relay For Life of Alachua High Springs
rain acevents.org

Join Relay For Life and communities across the globe to fight back against cancer at the Relay For Life of Alachua

Like Comment Share

1

16 people saw this post

Boost Post



Concerned Citizens For A Better High Springs November 5, 2013

This button says it all. Both polls are open in High Springs from 7

See Your Ad Here

Concerned Citizens For A Better High Springs



MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a c...

Like Concerned Citizens For A Better High Springs likes this

Promote Page

*Yeago
E4
18*



Alachua/High Springs Relay for Life

Relay For Life Celebrate. Remember Fight Back. The American Cancer Society Relay For Life is a life-changing event that gives everyone in communities across the globe a chance to Celebrate the lives of people who have battled cancer, Remember loved ones lost, and Fight Back against the disease...

Community: 86 like this

Like · Comment · Share

3 2

31 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 28, 2013

Quick Update. The previous post indicated that only one polling place would be open in High Springs on November 5th. Actually, BOTH polling places will be open. Please plan to adjust your routine to allow a few minutes to vote for one of the two candidates running for city commissioner.

Unlike · Comment · Share

2

Unlike · Comment · Share

5

199 people saw this post

Boost Post

200 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 16, 2013

Yes, in an "off year" your vote counts. The only item on the High Springs Ballot is the open seat for one Commissioner. Is this issue important enough for you to vote? Because there is only ONE item on the ballot you can actually vote Monday - Thursday at City Hall between 7:30 and 6PM. Just go to the City Clerks Office on the 2nd floor and request your absentee ballot. You can vote on the spot if you like. Or, you can also call City hall @ 454-1416 #6 and request a ballot be mailed to you. The third option is to visit the Civic Center (only polling place open) on November 5th to cast you ballot. The bottom line is that you can let a few folks in High Springs decide the election or we can encourage each other, with all our differences, to vote. Spread the word.



Unlike · Comment · Share

8 1 1

315 people saw this post

Boost Post

Concerned Citizens For A Better High Springs shared a link
August 29, 2013

Tonight, Thursday the 29th is the last budget workshop. Budgets should reflect the priorities of the community. Finding money for items the Commission does not authorize in the budget is hard. Be informed. Some items not in the budget: . See More



AUGUST 29, 2013 BUDGET WORKSHOP | City of High Springs Florida
highsprings.us

AUGUST 29, 2013 6:30 PM

Like · Comment · Share

1

59 people saw this post

Boost Post

Concerned Citizens For A Better High Springs shared a link. July 24, 2013

The proposed budget for 2013-2014 is available on line. The budget will be presented Thursday (7/25/13) night at City Hall, 6:30 PM. You can download a copy by going to the City Web Page or clicking http://www.highsprings.us/?q=node%2F373



2013-2014 PROPOSED BUDGET | City of High Springs Florida www.highsprings.us

Under Florida law (Statute 119.011), all information, including e-mail, written letters, documents and phone messages, sent to the City of High Springs is subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the content of th...

Unlike Comment Share

4 1

150 people saw this post

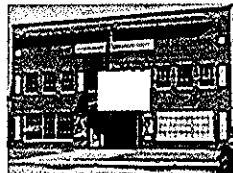
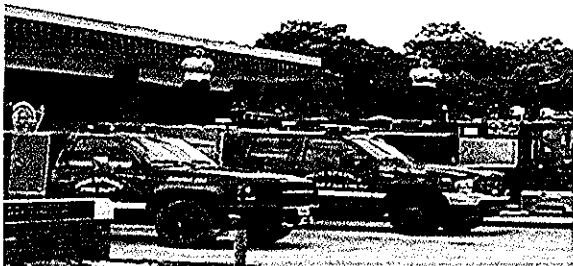
Boost Post

Concerned Citizens For A Better High Springs shared a link. July 18, 2013

Sitting down to review a budget is probably not a family priority during the summer - especially when we are talking about the City's Budget. However, a new budget will begin to effect our City October 1 - just two and a half months from n... See More

Concerned Citizens For A Better High Springs shared a link. June 2, 2013

Keep spreading the word and being shameless about asking for a contribution! 45 hours ago the need was \$9000 and with 22 hours to go the need is less than \$4300. There have been 62 new donors in these past 23 hours - amazing. High Spring... See More



Save the Priest www.kickstarter.com

After 100 years, the Priest must surrender to the demands of Hollywood and convert to digital projection to continue entertaining.

Unlike Comment Share

6 1 1

314 people saw this post

Boost Post

City of High Springs Florida www.highsprings.us

Under Florida law (Statute 119.011), all information, including e-mail, written letters, documents and phone messages, sent to the City of High Springs is subject to Public Records law. This includes the sender's e-mail address, home address or phone number if shown in the message, the...

Concerned Citizens For A Better High Springs shared a link. May 3, 2013

Home www.highspringscdc.com

Joomla! - the dynamic portal engine and content management system

Unlike Comment Share

3 1

160 people saw this post

Boost Post

Like Comment Share

63 people saw this post

Boost Post

Concerned Citizens For A Better High Springs shared a link. May 2, 2013

Many of us have been touched by cancer. This weekend the Relay For Live will be held at the Civic Center. There are many teams walking. We have been asked to pass a long a link to the Community Development Corporation where you can find out more and have the opportunity to contribute.

Concerned Citizens For A Better High Springs shared a link. April 4, 2013

"Springs Enternal" -- enjoy this wonderful US Airways magazine article about our hometown of High Springs, Florida!

http://www.highspringscdc.com/home/

US Airways - April 2013 www.nxtbook.com Digital Edition

Home www.highspringscdc.com

Joomla! - the dynamic portal engine and content management system

Unlike Comment Share

4 2

Like Comment Share

4 1 2

91 people saw this post

Boost Post

430 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
March 25, 2013

Code Of Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the.... See More



Unlike · Comment · Share

14

963 people saw this post

Boosted

Concerned Citizens For A Better High Springs
February 13, 2013

Is this for real? Ever think what you are being offered is a scam? Retired Alachua County Sheriff's officer Joe Pine will hold a class, here in High Springs, to help citizens of all ages learn how to avoid scams, identity theft and other fraudulent criminal activity. The class will be held at the Masonic Lodge on SATURDAY February 16th @ 6 PM. The Masonic Lodge is the brick building on 1st Avenue near NW 5th Street. There is no charge for this crime & fraud prevention seminar.

Unlike · Comment · Share

3 3 1

76 people saw this post

Boosted

Concerned Citizens For A Better High Springs
January 16, 2013

Some local hospitality for a Vet?

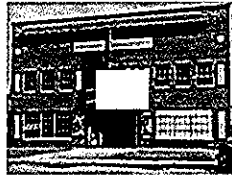
There is a Marine veteran, Mac McQuown, who is walking 15,000 miles across America to raise awareness and donations for Veterans causes with the goal of going to all 50 state capital buildings. He is currently walking from Gainesville to High Springs and will arrive later today (Wednesday 1/16) His next stop will be Lake City but he needs a place to stay for the next three nights (Wednesday, Thursday, and Friday nights). If you would be willing to assist Mr. McQuown in this worthy cause by allowing him to stay with you for the next three nights please contact Su Weller at (352) 514-7058.

Unlike · Comment · Share

2 3 1



Concerned Citizens For A Better High Springs shared a link.
April 4, 2013



Save the Priest
www.kickstarter.com

After 100 years, the Priest must surrender to the demands of Hollywood and convert to digital projection to continue entertaining.

Like · Comment · Share

1

123 people saw this post

Boost Post



Concerned Citizens For A Better High Springs
March 14, 2013

Everyone Wants To Make A Difference.

Cancer effects so many at so many levels. The Soup-R-Sweet Social is your opportunity to say that you understand or have been effected.

THIS SATURDAY - March 16th from 5:30 to 8 PM (FOR ONLY \$5 + a non-perishable food item) you can show your support for the fight against cancer.

Your donated food item will go to the community pantry run by Catholic Chari... See More

Like · Comment · Share

8 2

1,148 people saw this post

Boosted



Concerned Citizens For A Better High Springs
February 6, 2013

Heather McCall Caballero posted this and we also wanted to share this information with the community. He was a very good public servant and will be missed.

Sgt Chuck Harper lost his fight with cancer this evening. For those of you who may not know him, Sgt Harper was the HSPD officer who responded to the shooting at our school He has fought a long hard battle and I ask that you pray for the family he has left behind

Unlike · Comment · Share

6 1 3

95 people saw this post

Boost Post



Concerned Citizens For A Better High Springs
December 14, 2012



Concerned Citizens For A Bet Home



Concerned Citizens For A B... Timeline Recent

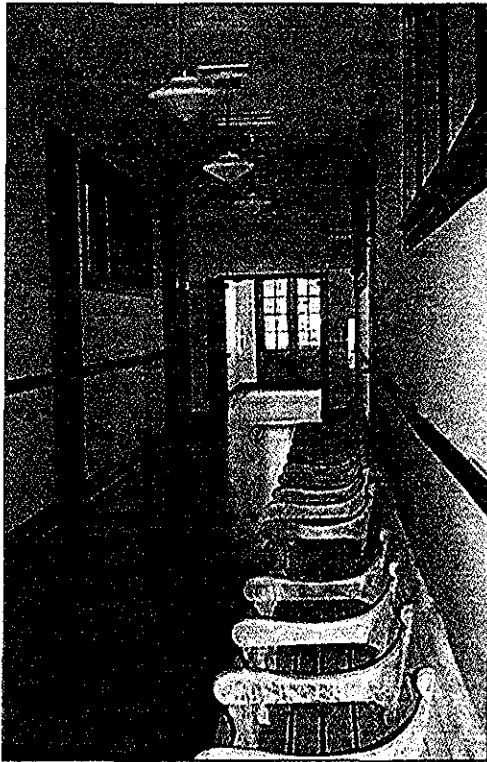
Admin Panel

Promote Page

Recent
Founded

A quick update with some Community Information:

For the first time since the Youth Center closed, these halls will be filled with folks at the Holiday Appreciation Dinner for City Employees - this Friday! If you have volunteered to help... See More



Like · Comment · Share

10 1 1

741 people saw this post

Boosted



Unlike · Comment · Share

7

68 people saw this post

Boost Post

Founded



Concerned Citizens For A Better High Springs
December 10, 2012

Please excuse an earlier posting today that was a commercial advertisement. Our Facebook account was hacked.

Unlike · Comment · Share

2

91 people saw this post

Boost Post



Concerned Citizens For A Better High Springs
November 27, 2012

A holiday gathering for City Employees & Families is being planned for December 14th. If you would like to know more, help out or show your support in some way there is more information posted below. You can also email us at HSCitizens@Gmail.com.

Dear Better Citizens supporters,

On Friday, December 14th from 6pm to 8pm in the Old Schoolhouse next to the Police Department, Concerned Citizens for a Better High Springs will host a Holiday Appreciation Dinner for our City.... See More


Holiday Gathering!

Unlike Comment Share

4 1

96 people saw this post

Boost Post

 **Concerned Citizens For A Better High Springs**
November 16, 2012

Hello,

The election may be over but the work of the Concerned Citizen's group continues. However, with the holidays approaching, a new commissioner yet to be sworn in and waiting the arrival of a new City Manager stepping back for a while is appropriate. In the mean time, here is some important information to pass along

- 1) The group will not be meeting this week (Sunday November 18th)
- 2) On Tuesday evening, the 20th, at 6:30 PM in City Hall, Byran Williams will be sworn in. Public service is not easy and many are not willing to attempt it. This will be the last meeting for Mayor Dean Davis and your opportunity to acknowledge his service of three years and to support Byran as he begins a new three year term. The Commission will elect a Mayor and Vice Mayor at this meeting as well as appoint citizens to many of the Citizen Boards.
- 3) The Citizens group will be hosting a holiday party for City Employees on Friday evening December 14th. The event will have live music and be served buffet style. All of the details are not confirmed - but if you would like to help, make a dish or be involved please email us or contact Ed MacKinnion. Some business have expressed an interest in helping to put together "gift baskets". If you are interested in contributing something, in any quantity (items, gift certificates or just a note of thanks) please let us know!

Lastly, Catholic Charities always appreciates support for those in our community in need. If you have some food, warm clothing or other items that can be shared they would welcome your donations. Catholic Charities is located in the brick building under the water tower on SE 1st Avenue.

Have a safe and happy Thanksgiving week!

Becky Johnson,
Bob Jones,
Linda Jones,
John Manley



Like Comment Share

2

 **Concerned Citizens For A Better High Springs**
November 8, 2012

You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building.

We are still focused on our Guiding Principles. If you would like a copy or to be added to the.... See More



Unlike Comment Share

6 1

Boost Post

79 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
November 7, 2012

Thanks to all the new supporters! For those that have been liking our posts, if you want to be counted as a supporter, you must Like our page... not just our photos and posts!



Like Comment Share

1

Boost Post

Concerned Citizens For A Better High Springs shared a status.
November 6, 2012

Let's GET OUT THE VOTE! Concerned Citizens volunteers will be offering rides to the polls. Anyone needing a ride to vote should contact coordinator Sandi Gardner at 352-339-4345.

Unlike Comment Share

3

61 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
November 6, 2012

Let's GET OUT THE VOTE! Concerned Citizens volunteers will be offering rides to the polls. Anyone needing a ride to vote should contact coordinator Sandi Gardner at 352-339-4345.

Unlike Comment Share

2 1

63 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
November 3, 2012


Employee Appreciation Lunch #3 (13 photos)



Like Comment Share

9 1

Boost Post

 **Concerned Citizens For A Better High Springs** shared a link.
November 3, 2012

As a Concerned Citizen we wanted to pass along some relevant information. Knowing what is happening in our community is an opportunity to have discussion with our neighbors and friends. The email contains information about:

- Daylight Savings Time
- Opportunities to join City Advisory Boards
- An Update regarding Friday's lunch for City Employees
- The next meeting of Concerned Citizens for a Better High Springs

First, a reminder that Daylight Sav.... See More




CHARTER REVIEW BOARD MEMBERS WANTED | City of High Springs Florida
www.highsprings.us

The City of High Springs is currently accepting applications for the appointment of five members to the Charter Review Board to review the City Charter and make recommendations for revisions or amendments, if needed, to the City Commission. Members must be electors of the City of High Springs holdi...

Like · Comment · Share

5

82 people saw this post

 Boost Post

 **Concerned Citizens For A Better High Springs**
November 1, 2012

The dirt was flying at the Ground Breaking this past Saturday for Phase I of an addition to our Fire Department. Friday lunch will be served to City employee's starting at 11:30 AM. Feel free to stop on by. Saturday the Crossroads Pregna... See More

 **Concerned Citizens For A Better High Springs**
October 31, 2012

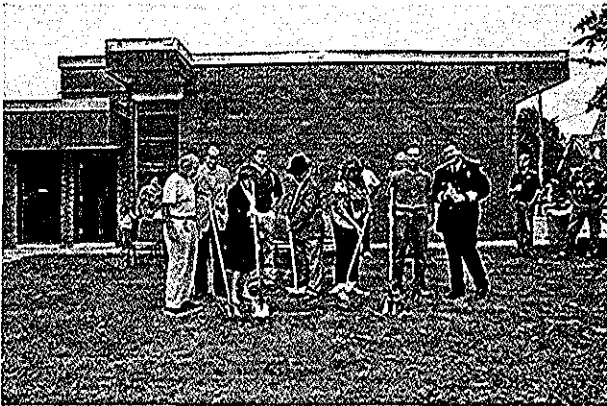
Check out this week's Alachua Today for an important message from us! Thanks SO MUCH for your support!

Unlike · Comment · Share

5 1


88 people saw this post

 Boost Post



Unlike · Comment · Share

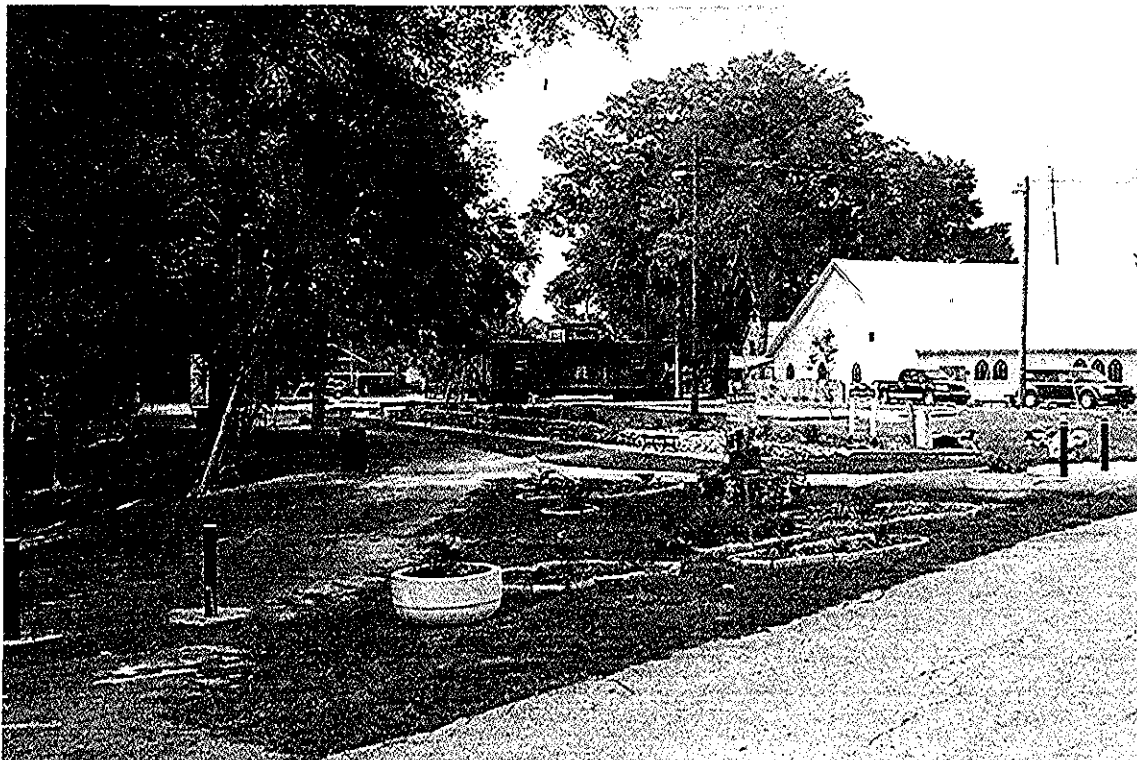
5 2

 Boost Post

 **Concerned Citizens For A Better High Springs**
October 30, 2012

Concerned Citizens will be serving lunch to all available city employees again this Friday on the concrete pad near the caboose. If you would like to help or donate please email us at HS_Citizens@Gmail.com

We have posted photos of before, during and after the improvements were made to James Paul Park behind City Hall last year - check them out. The City has recently reopened this road to all traffic.



Unlike Comment Share

7 3 2

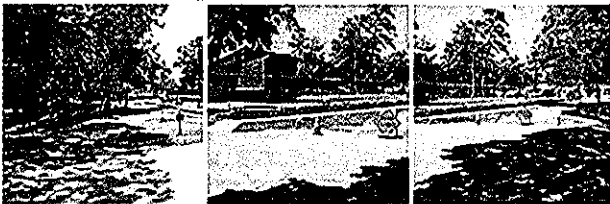
Boost Post

 Concerned Citizens For A Better High Springs
October 30, 2012

 Concerned Citizens For A Better High Springs
October 28, 2012

James Paul Park - Before, During, After (22 photos)

We're getting ready to publish our current list of supporters... please LIKE our page before 5pm on Monday to be included... or send us an email to: hscitizens@gmail.com. **STAND UP AND BE COUNTED...** individuals AND businesses are welcome!



Like Comment Share

1

Boost Post



Unlike Comment Share

2 2

Boost Post

 Concerned Citizens For A Better High Springs
October 25, 2012

 Concerned Citizens For A Better High Springs
October 26, 2012

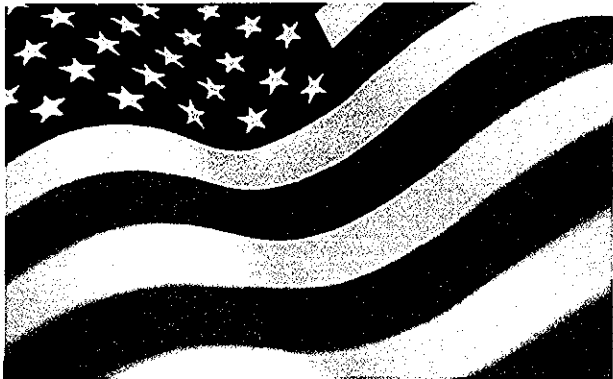
NEED A RIDE TO VOTE?

Looking for something to do this weekend? Read below for details about the Fall Festival, Annual Car Show, two haunted houses and the Ground Breaking for the new addition to the fire station! Yes, lots of good things are happening

• Sp... See More

Concerned Citizens volunteers will be offering rides to the polls on Election Day as well as for Early Voting. Anyone needing a ride to

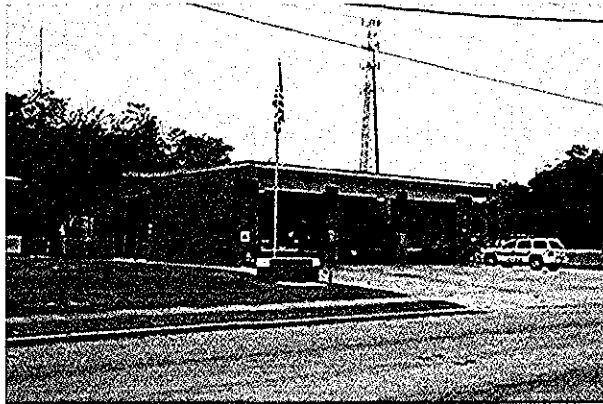
vote should contact coordinator Sandi Gardner at 352-339-4345.



Unlike · Comment · Share

6 1

Boost Post



Unlike · Comment · Share

5 3 3

Boost Post

Concerned Citizens For A Better High Springs shared a link
October 23, 2012

October 23, 2012
CITIZEN GROUP ENCOURAGES HIGH SPRINGS VOTERS TO 'GO ALL THE WAY' TO THE END OF THE BALLOT;
CHECK YOUR POLLING LOCATIONS AND ANNOUNCES THAT RIDES ARE AVAILABLE TO THE POLLS

Concerned Citizens for a Better High Springs enco... See More

Alachua County SOE Mobile Web Site
elections.alachua.fl.us

2. Type in your street name You do not need to enter the direction or street type. Example: If you live on East Main Street , type in Main

Unlike · Comment · Share

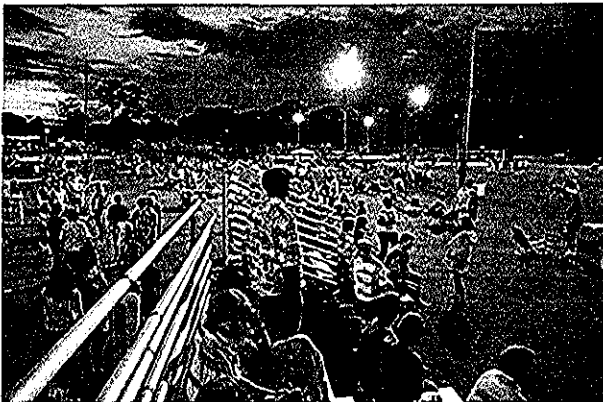
3 2

85 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 19, 2012

Concerned Citizens will be meeting Sunday October 21st @ 6PM in the old Video City building. Please bring a chair! This photo is from the 4th of July, when our City had its own fireworks display. If you are interested in the Sunday's agenda please email us at HSCitizens@Gmail.com



Like · Comment · Share

6 1

Boost Post

Concerned Citizens For A Better High Springs
October 15, 2012

Employee Appreciation Lunch (7 photos)

Great food for 30 was provided to again recognize our city staff



Concerned Citizens For A Better High Springs
October 13, 2012

Volunteers spent time during the Community Garage Sale today talking with folks about what has been happening in our community and the policy's we would like the City and Commission to focus on. Please let us know if you would like to be on the email list by emailing HSCitizens@Gmail.com Thank you to everyone that helped today, stopped by or provided food!



Unlike · Comment · Share · Tag Photos

7 2



Unlike · Comment · Share

11 1 1

Boost Post

Concerned Citizens For A Better High Springs shared a link
October 10, 2012

Folks, this link will provide you with your very own copy of our Five Key Areas of Concern:
<https://docs.google.com/open?id=0B8wcOLLUP4es6bUtSWiHLTGh2eU0>

Please share!!

5 Points.pdf - Google Drive
docs.google.com

Unlike · Comment · Share

2 1

98 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 10, 2012

Already up to 170 individuals and businesses. ... let's get to 200 before the week's end!

Unlike · Comment · Share

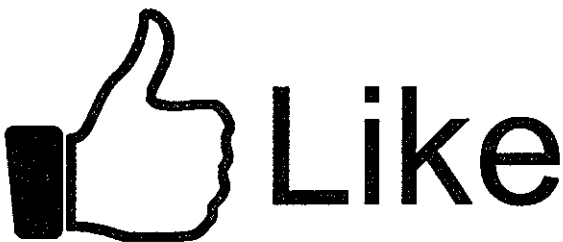
3 2

109 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 10, 2012

Over 160 names now... keep em coming. We've just posted Five Key Areas of Principal Concern. Please read them! Please share them. Please Like them!



Unlike · Comment · Share

7 1

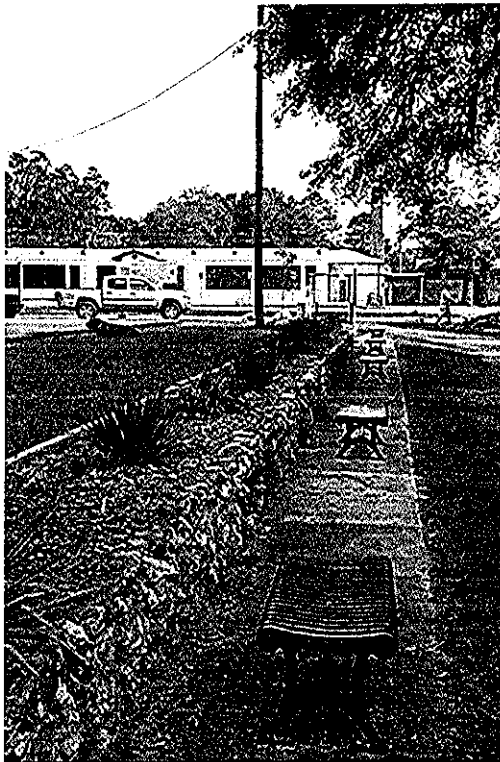
Boost Post

Concerned Citizens For A Better High Springs shared a link
October 10, 2012

If you haven't had a chance to pick up last week's Alachua Today, here's a great article about our growing group and one of our first acts of kindness. to our city employees!

Concerned Citizens For A Better High Springs
October 10, 2012

We have a spot for you! If you have "liked" this page you can follow us on FB. If you would like to receive email and PDF files of what we post and are working on please email the group at HSCitizens@gmail.com with your name. We promise not to send email every day. Please let us know if you do not want your name included in a public listing.



Like · Comment · Share

4

Boost Post

Concerned Citizens For A Better High Springs shared a link
October 10, 2012

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.
- a. Recently, the City Manager's Offi... See More

Concerned Citizens For A Better High Springs | Facebook
www.facebook.com

Concerned Citizens For A Better High Springs 94 likes 62 talking about this

Unlike · Comment · Share

7 3 1



Unlike Comment Share

4

100 people saw this post

Boost Post

... covering Alachua, High Springs, Newberry, Hawthorne, LaCrosse, Waldo, Archer and Micanopy.



Concerned Citizens For A Better High Springs
October 5, 2012

Pick up a copy of Alachua Today this week for a great article on our group and what we stand for!

Like Comment Share

3

105 people saw this post

Boost Post



Concerned Citizens For A Better High Springs
October 3, 2012

Employee Appreciation Lunch (8 photos)
Wed., Oct 3, 2012



Like Comment Share

1 1 2

Boost Post



Concerned Citizens For A Better High Springs shared a link.
October 2, 2012

128 people saw this post

Boost Post



Concerned Citizens For A Better High Springs
October 8, 2012

Thanks to everyone who's joined recently .. 165 strong!! Visit us this weekend at the Yard Sale!

Like Comment Share

3 2

133 people saw this post

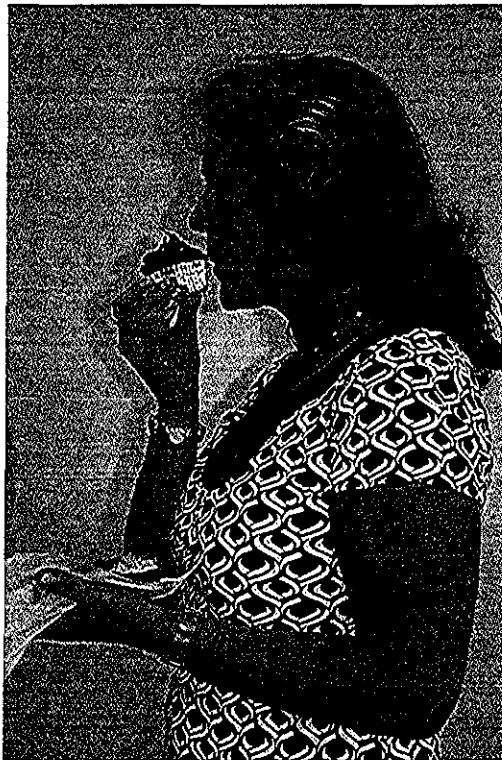
Boost Post



Concerned Citizens For A Better High Springs shared Concerned Citizens For A Better High Springs's album.
October 3, 2012

A special THANK YOU to our city employees!

Employee Appreciation Lunch (8 photos)



Like Comment Share

10 4 1

158 people saw this post

Boost Post



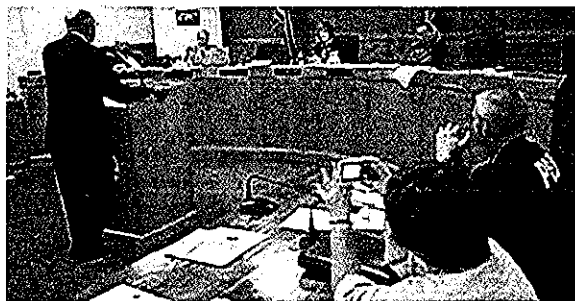
Concerned Citizens For A Better High Springs
October 2, 2012

Wow! Almost 150 names already! Keep them coming share our Mission Statement and Principles with your friends. Tomorrow is 'who says there's not a free lunch' day when we support some city employees with ... free lunch from local restaurants!

Unlike Comment Share

7 1

THANK YOU Gainesville Sun Editorial Board for supporting good government in High Springs!



High Springs seems to be a classic example of what happens when elected commissioners overstep their
www.gatorsports.com

Is this any way to run a local government?

Unlike · Comment · Share

7 2 2

132 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 1, 2012

Thanks SO much everyone! We're over 100 and still adding names. Watch for more news articles and lots of discussion in the coming days and weeks.

Unlike · Comment · Share

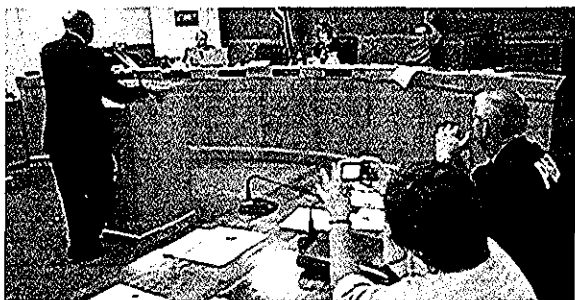
2

131 people saw this post

Boost Post

Concerned Citizens For A Better High Springs shared a link.
September 30, 2012

Please join our group to help change this!



Political turmoil continues to bubble in High Springs
www.gainesville.com

It was quiet in High Springs on Thursday night, from the empty sidewalks and darkened storefronts to the surprisingly cordial City Commission meeting.

Like · Comment · Share

2 2

130 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
September 29, 2012

Some of you that have "Liked" this page did so BEFORE we posted the Mission Statement and the four Principles If you agree with what we have published continue to follow along. If you do not

117 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 1, 2012

We are over 120 names already! Keep em coming! Please continue to share this page so we can reach out to a large number of people.... and thank our city employees when you see them!

Unlike · Comment · Share

2 1

134 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 1, 2012

Let's get the next 100 names.... who's in?

Like · Comment · Share

3 1

133 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 1, 2012

One more to go to reach our goal of 100 supporters! Who's in?

Unlike · Comment · Share

4 1

135 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
October 1, 2012

four more and we're at 100!!

Like · Comment · Share

2 1

128 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
September 30, 2012

Thanks for all the new LIKES! Please continue to share with your FB Friends!

Like · Comment · Share

127 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
September 30, 2012

Thanks to all the new "Likes"! Please Share this page with everyone you know and get them to Like it too! They can also send an email to hscitizens@gmail.com to let us know they're with us in the quest for good government in High Springs!

Like · Comment · Share

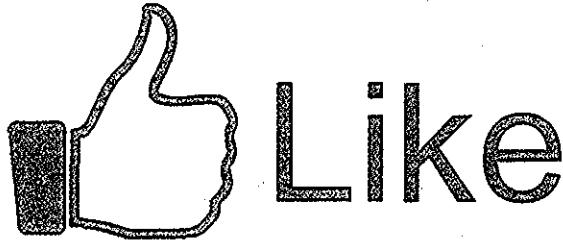
1 1

124 people saw this post

Boost Post

Concerned Citizens For A Better High Springs
September 28, 2012

wish your name to be published or do not suppo ... See More



Like Comment Share

8 3 1

Boost Post


facebook cut + paste

Thanks to all the new Likes today! We'll be adding your names to the list of supporters for good policy and good government.

Like Comment Share

1 5

Boost Post


 Concerned Citizens For A Better High Springs
September 28, 2012


Folks, thanks so much! We already have 19 Likes! If you support our efforts please share and let's get to 100 supporters by Monday! We need to show community support so we need to get many hundreds of names.


Like Comment Share


9 6 1

John P Manley III, Damon Watson, Thomas G Clarich and 6 others like this.

 Barbara Kowats am considered county but have a High Springs address and used to love this city lets try to bring back that love
September 28, 2012 at 4:50pm Unlike 2

 Concerned Citizens For A Better High Springs Thanks Barbara! Judi Kearney and Patti Grunder can we add your name too?
September 28, 2012 at 4:52pm Like 1

 Sanna Saare I'm also considered county with a High Springs address. In the recent past I've been very involved in High Springs (Main Street Committee, Design Team Chair). I would love to see pro action, especially to restore businesses to Main Street!
September 28, 2012 at 5:20pm Unlike 3


 Gene Levine As of Friday night 9/28/2102, if the info is correct, it appears that Edward Riess has thrown in the towel leaving Scott Jamison to retain Seat 5 unopposed. That leaves Patrick Rush to run against Byran Williams for Seat 4 the seat now held by Dean Davis who is all too friendly with Rush.


Dean's close friend Robyn Rush instructed Davis to support Pat Rush and Davis is going around town putting up "Vote For Rush" signs.

We must remember Pat Rush as the sole owner of "Pat's Place" a coffee shop on Main street that went out of business. He couldn't blame anyone else for his businesses' demise because he made all the decisions. How can any citizen of High Springs even think of voting for someone who couldn't successfully run his own small business to run our City's big business?

Everyone should send the present triumvirate a clear message that we the people, who this trio works for, can't take their lack of professionalism anymore. We will vote for Byran Williams because he has nothing to hide about his past and wants the chance to do damage control and better position High Springs to thrive once again by bringing in much needed jobs.


September 28, 2012 at 9:16pm Like

 Concerned Citizens For A Better High Springs This group will not be addressing political campaign issues. Those are for other groups. We are nonpartisan and nonpolitical and will only be focused on policy recommendations to move High Springs forward.
September 28, 2012 at 9:45pm Like 1

 Concerned Citizens For A Better High Springs Please take a look at our Principles and Policy Recommendations under "About"
September 28, 2012 at 9:45pm Like



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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

FLORIDA ELECTIONS COMMISSION,
PETITIONER,

v.

AGENCY CASE No.: FEC 06-129
F.O. No.: DOSFEC 08-054

FLORIDA HOUSE VICTORY, INC.; JEFFREY RYAN,
CHAIRMAN; AND SARA HENNING, TREASURER,
RESPONDENTS.

CONSENT FINAL ORDER

The Respondents, Florida House Victory, Inc. Jeffrey Ryan, Chairman, Sara Henning, Treasurer, and the Florida Elections Commission (Commission) agree that this Consent Order resolves all of the issues between the parties in this case. The parties jointly stipulate to the following facts, conclusions of law, and order:

FINDINGS OF FACT

1. The Respondents are Florida House Victory, Inc. Jeffrey Ryan, Chairman, and Sara Henning, Treasurer.
2. On July 18, 2007, the staff drafted a Staff Recommendation recommending to the Commission that there was probable cause to believe that The Florida Election Code was violated. On August 23, 2007, the Staff Recommendation was amended nunc pro tunc August 16, 2007, to correct a scrivener's error in Count 6.
3. On August 31, 2007, the Commission entered an Order of Probable Cause finding that there was probable cause to charge the Respondents with the following:

One count of violating Section 106.03(1), Florida Statutes, failure of a political committee to file a statement of organization;

Yeago 19
for ID

One count of violating Section 106.03(2), Florida Statutes, failure of a political committee who filed a statement of organization to include the required information in the statement;

Four counts of violating Section 106.07(5), Florida Statutes, prohibiting a campaign treasurer and a political committee chairman from certifying to the correctness of a campaign treasurer's report that is incorrect, false, or incomplete; and

203 counts of violating Section 106.19(1)(a), Florida Statutes, prohibiting a person or organization from accepting a contribution in excess of the legal limits.

4. On September 4, 2007, the Respondents were served through their attorney with a copy of the Order of Probable Cause.

5. The Respondents requested a Consent Order with the Commission within 30 days of receiving the Order of Probable Cause.

6. The Respondents and the staff stipulate to the following facts:

A. Respondent, Florida House Victory, Inc., filed as a political committee with the Division of Elections (Division) on July 1, 2004. Records from the Division's web site list Respondent, Jeffrey T. Ryan, as the chairman of the political committee and Respondent, Sara Granger (Henning) as treasurer.

B. The Division of Corporations records show Florida House Victory, Inc. as an inactive corporation.

C. The Complainant, Eric Buermann, is an attorney who resides in Miami-Dade County. In 1982, he was admitted to the Florida Bar. In 2000, he was appointed legal counsel for the Republican Party of Florida. He also formerly served as vice-chairman of the Florida Elections Commission for six years.

D. Complainant alleged that Respondents collected contributions and made expenditures prior to filing its statement with the Division on July 1, 2004. Complainant stated, "Between April 17, 2003, when Florida House Victory, Inc. filed incorporation papers and July 1, 2004, when the entity filed as a political committee, the committee received \$132,328 in contributions." Complainant also stated that during the same time period, Respondents made several expenditures.

E. According to records from the Division of Corporation, Florida House Victory, Inc. filed its Articles of Incorporation on April 17, 2003. Jeffrey T. Ryan and Sarah A. Granger were listed as the first Board of

Directors. Jeffrey I. Ryan was listed as the initial registered agent and the incorporator.

F. The purpose for which Florida House Victory was organized (as stated in Article III of the Articles of Incorporation) included:

To promote and work for the improvement of government by identifying and assisting responsible citizens in taking an active and effective role in governmental affairs by running for election and re-election to state and local offices within the State of Florida by providing support to favorable candidates

To conduct fundraising activities to raise funds for the payment of the expenses of the Corporation and to make contributions to candidate, political committees, committees of continuous existence, and political parties, as authorized by Florida Law.

G. Respondents' campaign treasurer's reports (CTR) confirmed that Respondents accepted contributions and made expenditures in April of 2004. Respondents filed its statement of organization on July 1, 2004 as a political committee supporting statewide issues. Jeffrey Ryan was listed as its chairman. Sara Granger was listed as the treasurer.

H. Respondents did not file a written response to the complaint. When sent an affidavit asking about the delay in filing the statement of organization with the Division, Respondent Jeffrey Ryan stated, "I cannot recall at this time, perhaps in discussing the question with the Treasurer Sara Henning, I can recall."

I. When questioned about the activities that Respondent engaged to support statewide issues, Mr. Ryan responded, "I cannot recall at this time, perhaps in discussing the question with the Treasurer Sara Henning, I can recall." When asked if the corporation and the committee were separate entities, Mr. Ryan stated, "We were following the lead of Senate Victory in this matter, and I don't believe there was any separation of function between the committee and the corporation."

J. When sent an affidavit asking about the delay in filing the statement of organization with the Division, Respondent Sara Henning, treasurer of the committee, responded, "To my recollection, prior to becoming an Issues PC, Florida House Victory, Inc. was registered as a 527 Political Committee. At that time, 527 Political Committees did not report to the Division of Elections. The law was then changed and we were told to change to an Issues Political Committee. In the spirit of disclosure, we opted to report contributions and expenditures from our last quarter as a 527 Political Committee."

K. Section 106.03(1), Florida Statutes (2003), requires that a political committee file a statement of organization within 10 days of anticipating receiving a \$500 contribution or making a \$500 expenditure during a calendar year.

L. Section 106.011(1)(a), Florida Statutes (2003), includes within the definition of political committee, a combination of two or more individuals, or a person other than an individual, that, in an aggregate amount in excess of \$500 during a single calendar year:

1. Accepts contributions for the purpose of making contributions to any candidate, political committee, committee of continuous existence, or political party;
2. Accepts contributions for the purpose of expressly advocating the election or defeat of a candidate or the passage or defeat of an issue;
3. Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue; or
4. Makes contributions to a common fund, other than a joint checking account between spouses, from which contributions are made to any candidate, political committee, committee of continuous existence, or political party.

M The purpose for which the committee was organized fits the definition of a political committee. Form 8872 filed with IRS shows that on April 17, 2003, Respondents received \$2,500 contribution from Florida PBA Inc. Law & Order PAC and \$2,500 from Florida PBA Inc PAC CCE.

N Respondents' form 8872 also shows that Respondents began expending money on April 22, 2003. On April 30, 2003, \$2,500 was expended to Florida Senate Victory, Inc. Recipient's occupation was listed as "Political committee." On May 6, 2003, \$354 was expended for food for caucus meeting.

O. On June 2, 2003, \$1,545 was expended to Jeffrey T. Ryan as salary. Mr. Ryan's occupation was reported as Finance Director for the Florida Democratic Party. On the same date, \$705 was paid to Sarah A. Granger as salary. Ms. Granger's occupation was reported as Deputy Director for the Florida Democratic Party.

P Respondents' Form 8872 also shows that on June 11, 2003, Respondents contributed \$1,000 to Business for Better Government. The

recipients' occupation was reported as "Political Committee." On June 30, 2003, \$353 was expended to Christopher L. Smith as reimbursement for travel expenses including airfare and car rental.

Q. The complaint was filed with the Florida Elections Commission on May 18, 2006. Complainant provided records showing that Respondents began accepting contributions and making expenditures in April of 2003. Contributions from various entities exceeded \$500. Although the contributions and expenditures occurred beyond the two-year statute of limitations, Respondents should have registered as a political committee and listed the names of the candidates that it was supporting in April 2003.

R. Respondents continued to act as a political committee between May 18, 2004, and July 1, 2004. During that period, Respondents accepted 15 contributions in excess of \$500. Additionally, Respondents made a \$25,000 contribution to the Florida Democratic Party (FDP) on May 28, 2004; a \$50,000 contribution to the FDP on June 8, 2004; a \$33,750 contribution to the FDP on June 21, 2004; and several other expenditures that appeared to be for the purpose of receiving additional contributions for the purpose of making contributions to a candidate, political committee, committee of continuous existence, or political party.

S. By failing to file as a political committee during the period from May 18, 2004 to July 1, 2004, Respondents were operating as an unregistered political committee in violation of Section 106.03(1), Florida Statutes.

T. Complainant alleged that Respondents' statement of organization filed with the Division on July 1, 2004, was incomplete. Complainant stated that Respondents did not disclose its connection to the Florida Democratic Party (FDP). Complainant also alleged that Respondents inaccurately listed "support statewide issues," as its area, scope and jurisdiction.

U. Complainant also alleged that Respondents' articles of incorporation showed that it was organized and controlled by FDP employees and consultants to support candidates. One of the purposes listed in Respondents' Articles of Incorporation include "identifying and assisting responsible citizens ... by running for election and re-election to state and local offices within the State of Florida by providing support to favorable candidates."

V. Complainant also included with the original complaint, copies of Respondents' publications that contained the following disclaimer: "Paid for by the Florida Democratic Party." Respondents did not list support of candidates in the area and scope section of its statement of organization form filed with the Division. Additionally, Respondents did not list any

affiliate organizations on the form.

W. Respondents' CIRs revealed that Respondents made several contributions to the FDP prior to July 1, 2004. However, the reports did not list any contributions from Respondents to candidates

X. When asked in an affidavit why the FDP was not listed as an "affiliate" organization on Respondents' statement of organization, Chairman Ryan responded, "At the time the entity was established it was not intended to be affiliated with the FDP. To my knowledge there is no definition of what is an afflicted (sic) entity or organization." Mr. Ryan could not recall whether the committee expended any funds to purchase political advertisements that supported statewide issues.

Y. When questioned about whether Respondents made any contributions to candidates, Mr. Ryan stated that they did not. When asked if Respondents published any advertisements in support of candidates, Mr. Ryan attested, "I cannot recall at this time, perhaps in discussing this question with the Treasurer, Sara Henning, I can recall."

Z. When asked about the lack of any affiliated organizations listed on Respondents' statement of organization, Ms. Henning stated, "At the time the entity was established, it was not intended to be affiliated with the Florida Democratic Party. To my knowledge, there is no definition of what is an affiliated entity or organization." Ms. Henning also avowed that to her knowledge Respondents did not make any contributions to candidates or publish any advertisements on behalf of any candidates

AA. When asked if the committee published any ads supporting "statewide issues," Ms. Henning responded, "The scope and jurisdiction were listed as 'Statewide Issues' in accordance with following the model set forth by Senate Victory." (Florida Senate Victory, Inc. was a political committee, chaired by Joseph Perry. Senate Victory was not listed on Respondents' statement of organization as an affiliated organization.)

BB. Both, Mr. Ryan and Ms. Henning, acknowledged working for the FDP before being named as officers of the committee. According to Division records, Ms. Henning resigned as treasurer in April of 2005. Respondents did not file an amended statement of organization with the Division to show the change in the committee's officers.

CC. Webster's Ninth New College Dictionary defines *affiliated* as "closely associated with another typically in a dependent or subordinate position <the university and its ~ medical school>." Black's Law Dictionary states that *affiliation* "[i]mports less than membership in an organization, but more than sympathy, and a working alliance to bring to fruition the proscribed program of a proscribed organization, as

distinguished from mere co-operation with a proscribed organization in lawful activities, is essential. *Bridges v. Wixon, Cal*, 326 U.S. 135, 65 S.Ct. 1443, 1447, 89 L.Ed 2103 (1945).”

DD. Respondents’ IRS Form 8872 shows that as of March 31, 2004, Respondents were paying a salary to Jeffrey Ryan and Sarah Granger at the same time they were employed by the Florida Democratic Party. Respondents continued to pay a salary to Mr. Ryan and Ms. Granger after July 1, 2004.

EE. Additionally, Respondents continued to contribute to the FDP after July 1, 2004, and the FDP continued to pay for flyers announcing House Victory events. (See Exhibit 6 attached to the Report of Investigation) Furthermore, Respondents deposited numerous checks that were made payable to the Democratic Party into the Florida House Victory, Inc campaign account and reported those checks as contributions. This relationship creates an “affiliation” as contemplated by this section.¹

FF. Complainant alleged that Respondents did not “promptly and adequately report contributions and expenditures.”

GG. Respondents filed 12 reports and two amended reports with the Division between April 1, 2004 and December 31, 2005. Chairman Ryan and Ms. Henning, the treasurer, certified all the reports except the amended F2, which was filed by diskette and a signed summary page was not on file. Table 1 lists the CTRs that do not agree with bank records.

TABLE 1: COMPARISON OF RESPONDENTS’ CTRs WITH BANK RECORDS			
Date Filed	Reporting Period	Information on CTR	Information from bank
08/16/04	07/24/04 to 08/06/04 2004 F2 Amended	<ul style="list-style-type: none"> • CTR lists a \$25 contribution from James Donelin on 8/6/04 • CTR lists a \$35 contribution from David Henderson on 8/6/04. • CTR lists a \$25 contribution from Claudia Marshall on 8/6/04. • CTR lists a \$100 contribution from Martha Simons on 8/6/04 	<ul style="list-style-type: none"> • Not found in bank records • Not found in bank records • Not found in bank records • Not found in bank records.

¹ *Buckley v. Valeo*, 424 U.S. 1, 22, 96 S.Ct. 612 (1976), states: “[m]aking a contribution, like joining a political party, serves to affiliate a person with a candidate [and] enables like-minded persons to pool their resources in furtherance of common political goals.”

		<ul style="list-style-type: none"> • CTR lists a deleted \$50,000 contribution from the Committee for Fair Representation on 7/29/04. • CTR shows a \$4,000 expenditure to Jeffery T. Ryan on 8/06/04 (No check was found that corresponds with this expenditure) 	<ul style="list-style-type: none"> • Not found in bank records. • Bank records show a \$4,000 withdrawal on 8/04/04.
12/06/04	08/07/04 to 08/26/04 2004 F3 Amended	<ul style="list-style-type: none"> • CTR lists a deleted \$50,000 contribution from Business for Better Government on 8/25/04. 	<ul style="list-style-type: none"> • Bank records show a wire withdrawal on 8/25/04 of \$50,018 from Better Gov't and an incoming wire transfer on 8/26/04 for \$50,000
01/05/05	10/29/04 to 12/31/04 2004 Q4 Original	<ul style="list-style-type: none"> • CTR shows \$43,456.04 in total contributions for this period. 	<ul style="list-style-type: none"> • Bank records show \$25,206.04 in total deposits for this period.
04/01/05	01/01/05 to 03/31/05 2005 Q1 Original	<ul style="list-style-type: none"> • CTR shows \$130,336.11 in total contributions for this period. 	<ul style="list-style-type: none"> • Bank records show \$131,336.11 in total deposits for this period.
07/08/05	04/01/05 to 06/30/05 2005 Q2 Original	<ul style="list-style-type: none"> • CTR shows a \$250 contribution from Brevard County Chiropractic Society-PAC on 06/23/05 • CTR shows a \$1000 contribution from Pinellas County Chiropractic on 06/23/05. • CTR shows a \$100 contribution from Performance Health on 06/23/05. • CTR shows a \$100 contribution from Affordable Health Center, Inc. on 06/25/05 	<ul style="list-style-type: none"> • Bank records show a \$500 check from Brevard County Chiropractic Society-PAC. • Bank records show a \$500 check from Pinellas County Chiropractic • Bank records show a \$500 check from Performance Health. • Bank records show a \$50 check from Affordable Health Center, Inc.
01/10/06	10/01/05 to 12/31/05 2005 Q4 Original	<ul style="list-style-type: none"> • This expenditure is not listed on the CTR. • This expenditure is not listed on the CTR. 	<ul style="list-style-type: none"> • Bank records show an "external withdrawal" of \$7,058.34 to Capitol One on 11/3/05. • Bank records show a closeout withdrawal of \$93,034.42 was made on 11/29/05.

HH. Chairman Ryan filed a sworn response to questions asked by staff. When asked about the discrepancies between the CTR and the bank records, Mr. Ryan stated, "I cannot recall at this time" According to Mr. Ryan, he did not prepare the CTRs for the committee. When asked if he reviewed the CTRs for accuracy before filing them with the Division,

he responded, "no." Mr. Ryan stated that he trusted in the competence of the treasurer.

II. When questioned about the discrepancies in the 2004 F2 CTR, Ms. Henning stated that the contributions from Mr. Donelin, Mr. Henderson, Ms. Marshall, and Ms. Simons were cash contributions collected at a golf tournament and then paid out in tips to the golf pro and bag handlers. Ms. Henning stated that she must have forgotten to record the expenditures. Accepting that explanation, Respondents' 2004 F2 CTR would still be incorrect because it listed the contribution type as "check" and failed to list the cash expenditures.

JJ. Ms. Henning also explained that the \$4,000 withdrawal shown on the bank statements corresponds with the expenditure to Jeffrey Ryan on the CTR. When asked about the date on the checks and the delay in reporting them, Ms. Henning explained that the checks were collected by the Florida Chiropractic Association. She stated, "Once the representative of the FCA completed the fundraising, all the checks were presented at a single event."

KK. Investigator Wade asked Mr. Herron, Respondents' attorney, about the \$50,000 contribution from the Committee for Fair Representation listed on the 2004 F2 CTR. He stated that according to Ms. Henning, the contribution was returned. Ms. Henning also stated that the \$50,000 contribution from Business for Better Government listed on the 2004 F3 CTR was returned.

LL. Investigator Wade also asked Mr. Herron about the discrepancy between the total contributions listed in the 2004 Q4 CTR and the total deposits. The CTR listed 24 contributions during the reporting period of October 29, 2004 through December 31, 2004, totaling \$43,456.04. Bank records showed six deposits totaling \$25,206.04. Mr. Herron said that according to Ms. Henning, she may have recorded some of the contributions twice, a clerical error on her part.

MM. Table 2 compares the bank records to the 2004 Q4 CTR.

TABLE 2: COMPARISON OF BANK RECORDS TO THE 2004 Q4 CTR	
# of Contributions	Corresponding Bank Records
21	Substantiated by copies of contributor checks
2	Substantiated by a review of monthly bank statements
1	Unsubstantiated (\$500 from CC Dockery)

NN. As depicted in Table 2, only one contribution listed on the 2004

Q4 CTR was unsubstantiated. However, the monthly bank statements did not show deposits that matched the contributions listed on the report. Investigator Wade was unable to determine why there was such a disparity between the information listed on the CTR and shown in the bank records.

OO. Investigator Wade asked Mr. Herron about the disparity between the total contributions and bank records for the 2005 Q1 reporting period. The CTR summary page showed \$130,336.11 in total contributions, while bank records showed \$131,336.11. Mr. Herron did not provide an explanation for this disparity.

PP. Ms. Henning acknowledged that the information on the 2005 Q2 CTR, was recorded incorrectly. However, according to Ms. Henning, she was not the committee's treasurer at the time the report was filed. Mr. Herron explained that Ms. Sara Smith was the treasurer for the committee when the 2005 Q2 report was filed. According to Mr. Herron, Ms. Smith acknowledged that she mistakenly entered the data incorrectly.

QQ. Investigator Wade asked Ms. Henning about the two expenditures shown in the monthly bank statements during the 2005 Q4 reporting period that were not recorded on the CTR. However, Ms. Smith was the treasurer for the committee when the 2005 Q4 CTR was filed. Mr. Herron stated that according to Ms. Smith, she mistakenly failed to report the two expenditures.

RR. Respondents' Articles of Incorporation stated that the purpose of the group was to provide "support to favorable candidates . . . [and] to make contributions to candidates, political committees, committees of continuous existence, and political parties." Complainant alleged that that a political committee that supports candidates could not accept contributions that exceed \$500.

SS. Respondents' CTRs showed that from April 1, 2004 to December 31, 2005, Respondents accepted numerous contributions that exceeded the \$500 limit. Table 3 lists the number of contributions that exceeded \$500 during each reporting period.

TABLE 3: EXCESSIVE CONTRIBUTIONS PER REPORTING PERIOD			
Report Code	Period Covered	Contributions Exceeding \$500	Total Contributions
2004 Q2	04/01/04 – 06/30/04	15*	31
2004 F1	07/01/04 – 07/23/04	48	51
2004 F2	07/24/04 - 08/06/04	10	17
2004 F3	08/07/04 – 08/26/04	2	2
2004 G1	08/27/04 – 09/10/04	0	0

2004 G2	09/11/04 – 09/24/04	1	2
2004 G3	09/25/04 – 10/08/04	0	0
2004 G4	10/09/04 – 10/28/04	4	12
2004 Q4	10/29/04 – 12/31/04	8	12
2005 Q1	01/01/05 – 03/31/05	36	91
2005 Q2	04/01/05 – 06/30/05	20	62
2005 Q3	07/01/05 – 09/30/05	56	60
2005 Q4	10/01/05 – 12/31/05	3	3
Total		203	343

*This number includes information recorded on or after May 18, 2004.

TT. Respondents' CTRs from April 1, 2004 through December 31, 2005, did not list any contributions to candidates. However, Respondents' CTRs disclosed numerous contributions to the FDP and Democratic Executive Committees throughout 2004 and 2005. Also during that time, the FDP paid for advertising for various joint fundraising events with Respondents, members of the House Democratic Caucus, and Representative Chris Smith.

UU. During the period from May 18, 2004 through December 31, 2005, Respondents received 203 contributions in excess of \$500. (See Exhibit 12 attached to Report of Investigation) There did not appear to be any expenditure listed on the CTRs to support statewide issues. (See Exhibit 8 attached to Report of Investigation). For the reasons discussed above, the committee was operating as a candidate political committee and was prohibited by Section 106.08(1), Florida Statutes, from accepting contributions in excess of \$500.

VV. According to records from the Division, a notification letter was mailed to Mr. Ryan on July 7, 2004. The letter read:

Enclosed please find copies of Chapter 106, Florida Statutes, 2004 Committee and Campaign Treasurer Handbook, 2004 Calendar of Reporting Dates and Campaign Treasurer's Report forms. We are also enclosing a copy of a memorandum sent to political committees and committees of continuous existence regarding changes made in the campaign financing laws, **effective July 1, 2004.**

WW. According to a questionnaire affidavit from Mr. Ryan, the committee's chairman, he has never run for public office. He stated that he had never been appointed as treasurer for a candidate's campaign; however, he served as deputy treasurer for the Tim Ryan for State House of Representative campaigns in 1998, 2000, 2002 and 2004. In additional

to serving as chairman for Florida House Victory, Inc., Mr. Ryan stated he has served as chairman of two other committees of continuous existence, Business for Better Government and Victory 2006. He acknowledged that he had received and read Chapter 106, Florida Statutes. He attested that he received but did not read the *Committee and Campaign Treasurer Handbook*.

XX. Ms. Henning also provided a questionnaire affidavit. Ms. Henning stated she had not run for public office. She added that she did not recall receiving or reading Chapter 106, Florida Statutes or the *Committee and Campaign Treasurer Handbook*.

CONCLUSIONS OF LAW

7. The Commission has jurisdiction over the parties to and subject matter of this cause, pursuant to Section 106.26, Florida Statutes.

8. There is no limit on contributions to political committees that support or oppose only issues. The term "issue" used in the definition of "political committee," is defined in Section 106.011(7), Florida Statutes. That section provides that issue means (1) a proposition that is submitted to the electors for their approval or rejection at an election, or (2) a proposition for which a petition is circulated to have such proposition placed on the ballot for an election. Respondents' activities did not appear to meet this definition. To the contrary, the committee was operating as a candidate political committee.

9. Section 106.011(1)(b)2., Florida Statutes, provides that under some circumstances a corporation is not required to register as a political committee. Corporations formed for purposes other than to support or oppose issues or candidates, are not political committees (1) if their activities are limited to contributions to candidates, political parties, or political committees, or if their activities are limited to expenditures in support of or opposition to an issue from corporate funds, and (2) if no contributions are received by the corporation." The committee does meet this exception.

10. In *Richman v. Shevin*, 354 So.2d 1200 (Fla. 1977), *cert denied*, 439 US 954

(1978), the Florida Supreme Court agreed that by making distributions to candidates, the Judicial Trust Fund effectually supported candidates for judicial office and included the trust fund within the definition of "political committee." The court stated that the Legislature, in promulgating Sections 106.011(2)² and 106.08, Florida Statutes (1975), regulating campaign contributions, determined that individuals in a collective capacity should only be permitted to have a limited amount of political clout. *Id.* at 1205.

11 Subsequently, in *Falzone v State of Florida*, 500 So.2d 1337 (Fla. 1987), the Florida Supreme Court upheld the indictment and plea of *nolo contendere* by Falzone when he and three other individuals were indicted for allegedly failing to file a statement of organization as a political committee as required by Sections 106.03 and 106.19, Florida Statutes. The court agreed that requiring political committees to file a statement of organization pursuant to Section 106.03 is supported by the compelling state interest of informing the electorate as to who is involved in raising and spending money for elections.

12 Members of a political committee can be held liable if they (a) participated, (b) set the action in motion, or (c) agreed to the action. See, *Fulton v. DOE*, 689 So.2d 1180 (Fla. 2nd DCA 1997), and *FEC v. Mary McCarty and The Committee to Take Back our Judiciary*, Case # FEC 01-195.

13. The Commission staff and the Respondents stipulate that the facts set forth in the Staff Recommendations constitute a reckless disregard of Sections 106.03(1), 106.03(2), 106.07(5), and 106.19(1)(a), Florida Statutes.

ORDER

9. The Respondents and the staff of the Commission have entered into this Consent

² Subsequently renumbered as 106.011(1), Florida Statutes.

Order voluntarily and upon advice of counsel.

10. The Respondents shall bear their own attorney fees and costs that are in any way associated with this case.

11. The Respondents understand that before the Consent Order becomes final agency action, the Commission must approve it at a public meeting. After approval, the Consent Order constitutes final agency action of the Commission on the violations listed in the Order of Probable Cause.

12. The Respondents voluntarily waive the right to any further proceedings under Chapters 104, 106, and 120, Florida Statutes, and the right to appeal the Consent Order.

13. This Consent Order is enforceable under Sections 106.265 and 120.69, Florida Statutes. The Respondents expressly waive any venue privileges and agrees that if enforcement of this Consent Order is necessary, venue shall be in Leon County, Florida, and Respondents shall be responsible for all fees and costs associated with enforcement.

14. If the Commission does not receive the signed Consent Order within 20 days of the date you received this order, the staff withdraws this offer of settlement and will proceed with the case.

15. Payment of the civil penalty is a condition precedent to the Commission's consideration of the Consent Order.

PENALTY

WHEREFORE, based upon the foregoing facts and conclusions of law, the Commission finds that:

A. Respondents have violated Section 106.03(1) Florida Statutes, on one occasion for failing to file a statement of organization as a political committee.

Respondents are fined \$1,000 for this count.

B. Respondents have violated Section 106.03(2) Florida Statutes, on one occasion for failing to include the required information on a statement of organization. Respondents are fined \$1,000 for this count.

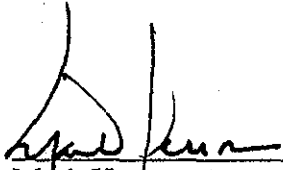
C. Respondents have violated Section 106.07(5) Florida Statutes, on four occasions for certifying to the correctness of campaign treasurer's reports that were incorrect. Respondent is fined \$1,000 for each of the four counts for a total of \$4,000.

D. Respondents have violated Section 106.19(1)(a) Florida Statutes, on 203 occasions for accepting contributions in excess of the legal limits. Respondent is fined \$1,000 for each of the 203 counts for a total of \$203,000.

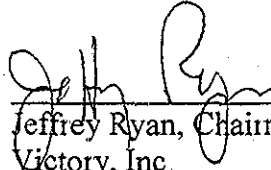
Therefore it is

ORDERED that the Respondents shall remit to the Commission a civil penalty in the amount of \$209,000, inclusive of fees and costs payable as follows: \$100,000 payable on or before November 9, 2007; and \$109,000 payable on or before June 30, 2008. Payment shall be made by cashier's check or by Respondents undersigned attorney's trust account check. The civil penalty shall be paid to the Florida Elections Commission, 107 W. Gaines Street, Collins Building, Suite 224, Tallahassee, Florida, 32399-1050

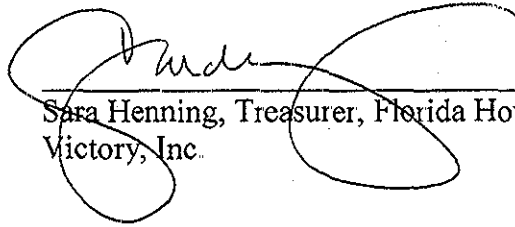
The Respondents hereby agree and consent to the terms of this Order on 27 December 2007, 2007.



Mark Herron, Attorney for Respondents
2618 Centennial Place
Tallahassee, Florida 32308

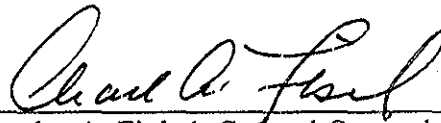


Jeffrey Ryan, Chairman, Florida House
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200 W. College Ave., Suite 210
Tallahassee, Florida 32301




Sara Henning, Treasurer, Florida House
Victory, Inc.

The Commission staff hereby agrees and consents to the terms of this Consent Order on December 27, 2007.



Charles A. Finkel, General Counsel
Florida Elections Commission
107 W. Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Approved by the Florida Elections Commission at its regularly scheduled meeting held on May 15 & 16, 2008 at Tallahassee, Florida and filed with the Clerk of the Commission on May 30, 2008 in Tallahassee, Florida.



Jorge Cruz-Bustillo, Chairman
Florida Elections Commission
107 W. Gaines Streets
Collins Building, Suite 224
Tallahassee, FL 32399-1050

Copies furnished to:

Charles A. Finkel, General Counsel
Mark Heron, Attorney for Respondents

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CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

PLEASE JOIN US! (PLEASE PRINT)

NAME

EMAIL

PHONE

Bernas Et al #77D

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.

- a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
- b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
- c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service.

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

- a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
- b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices.
- c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance

- a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices.
- b. The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

Barnes & 2

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. **Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.**
- a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
- b) **Brick & Mortar** - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. **Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:**

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

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Barnes Et 3

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THEREFORE, WE BELIEVE: *The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Regensdorf letter supporting Vote NO and Byran

Friday, November 9, 2012

An update on "antics" and the lawsuit concerning the proposed Charter Amendment

All,

while Gary Grunder may consider all of this "antics," [and as one whose work requires him to deal with the City as an attorney -- whoever's in charge -- he has every right and reason to view things differently, or maybe he just disagrees] i thought it important to update anyone [interested in reading further] to more "antics" from our Vice Mayor.

except... it's not just antics; it a simple attempt at bullying and it should not be tolerated by decent citizens. to call unacceptable conduct mere "antics" is to denigrate norms of human behavior. let's agree to call them what they are.

i and many others have decried Bob Barnas' many many many attempts at bullying people in High Springs to get his way. most of you know of personal examples that have happened to you or to others. one classic example was where the Vice Mayor contacted a long-time citizen's employer and "complained" that the citizen's work time was being taken up partly by sending out emails about High Springs [in part critical of Mr. Barnas]. i guess he couldn't stand the sting of the lash and therefore tried to imperil that citizen's job and livelihood. shame on him.

Yesterday's Shenanigans... or antics... by Mr Barnas - a complaint to my law firm

apparently buoyed by the somewhat "success" of his earlier tactic against the long-time citizen by going to that person's place of business in an attempt to poison the well there, Mr. Barnas has tried the same tactic with my law firm, Holland & Knight where i am a partner in their Jacksonville office. he contacted my Executive Partner, Dan Bean, by email yesterday with accusations that suggested that i had held myself out as representing Ross Ambrose [when i clearly stated Linda Chapman did and attached the opinion demonstrating that] and he said that i was putting out "half-truths" and that i should mind my ethics. i'll copy the full text of his email at the end of this email. [interestingly, Bob used his Bosshardt email address. ya gotta love the guy!!]

The results of Mr. Barnas' email to my firm

well, i want to thank Bob for that act, and want to announce to all what effect Bob's complaint has had. Dan Bean [my Executive Partner] suggested that i formally request our firm to approve Holland & Knight's joining the Ambrose lawsuit, pro bono, on Ross' behalf, since Dan agreed that it seemed like a might well be a worthy effort. one of the great strengths of H&K is its willingness to take on numerous causes for people around the country who cannot otherwise afford to pay our billing rates. i am contacting Ross Ambrose and his lawyer today, and will, if successful in that effort, then begin the somewhat tedious effort to clear conflicts and to get firm approval for the pro bono representation of Ross Ambrose. frankly, if Mr. Barnas hadn't rattled Dan's cage, i doubt we would be taking these steps. but we are. thanks Bob. as a result, since H&K MAY in the next weeks approve this representation [if, of course, Ross agrees] and since my role then would leave the position of being a pure commentator on the Barnasian antics and would move into a possible and potential legal one, i have sent THIS email from a personal email address to make certain that anyone can tell that i am speaking here for myself, and not on behalf of my law firm.....at least not yet.

So don't forget to vote today. Vote against the proposed Charter Amendment [Vote "NO"], and vote for Byran Williams. And take your neighbors and friends to the polls as well.

and if you don't want to read about the "antics" of our City Commission, don't bother reading this far down in the email. just delete it at the start. it's really easy.

-Paul Regensdorf

Barnas Et 4

Local

High Springs residents rally to form grassroots group

Details Published on Monday, 08 October 2012 19:32 Written by C.M. WALKER Hits: 660



0 Comments



Concerned Citizens for a Better High Springs hosted a lunch for City employees on the heels of a 6.07 percent pay cut.

HIGH SPRINGS – Members of the newly-formed group, “Concerned Citizens for a Better High Springs” (CCBHS), delivered lunch on Wednesday, Oct. 3, for City of High Springs employees affected by the recent 6.07 percent salary cut to all non-union City employees.

“We want to encourage our City employees to hang in there by providing support in a meaningful way,” said CCBHS Publicity Chair Sharon Yeago. “Our employees are taking a financial hit for the benefit of the city. We want them to know how much we appreciate their efforts and supplying lunch is one small way we can help relieve one burden, the financial responsibility of lunch, and show our appreciation,” said Yeago.

The group, which has grown to more than 150 members in fewer than five days, was “formed to support good policy decisions in our government,” said CCBHS Steering Committee Chair and High Springs resident John Manley. Other members of the Steering Committee include local residents Becky Johnson, Bob Jones and Linda Jones.

Both Yeago and Manley are proud that they were able to attract so many citizens interested in supporting good policy decisions by city government in such a short time using Facebook, email and personal outreach.

“We are a nonpolitical, nonpartisan organization,” explained Yeago. The group has already created a mission statement and guiding principles, which are all listed on the organization’s Facebook page. The group’s mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs’ reputation as a fair and open government that is inclusive, open and fair.

Steering and Events committees have been established by the group,” said Yeago. One of the first actions of the Events Committee is the provision of Wednesday’s lunch for non-union city employees. Events Committee members include Ed MacKinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb.

Barnes 4.5(A)

"This citizens group came together out of a deep concern and love for the city of High Springs. This city is at a crossroads," Manley said. "We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the citizens can get behind and work to make happen," explained Manley.

"We are encouraging citizen participation in deciding the direction of our city," said Yeago. "This is a group to help our government consider policy decisions that make our city viable," she said. "Our group has no political agenda. We just want to help the city make the best decisions they can for our citizens and the future of High Springs," she said.

Yeago explained further, "Our agenda is based on good policy and we will be making what we consider to be good policy recommendations on an ongoing basis. Good policy transcends politics. It's not about who happens to be in the office at the moment. It's about how our government serves its citizens now and in the future."

"What we're trying to do is develop solutions for what we feel are the problems we now have," Manley said. "We are a strategic group, not a political group," he insisted. "Politics is not a part of what we're doing. We want to contribute solutions and encourage other citizens to get involved to help do the same," he said.

"We have problems that may take 5 or 10 years, or possibly more, to solve. Previous commissions made decisions under different economic conditions than we have today. Perhaps we have to look at earlier decisions in a different light given our current economic condition. We want a city that is professional and well run," he said. "We just want to participate in the process."

Anyone interested in more information about Concerned Citizens for a Better High Springs may locate their website on Facebook or contact a member of the organization.

#

email Cwalker@alachuatoday.com

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FW: Judge Griffis Ruling on Challenge to Charter Amendment

From: Bob Barnas

Sent: Mon, Nov 5, 2012 at 8:36 am

To: daniel.bean@hklaw.com

doc10312012151332.pdf.pdf (637.5 KB)

Mr. Bean,

I received this email just as you see it with all cc: names from your attorney Paul Regensdorf.

I know he is a respected attorney and I have watched him at meetings and on Florida Channel. He is also certainly an opinionated person.

Using a work email as he has done with several emails in the last few days to make his comments, makes it look as though he is representing the parties in these lawsuit against the city, and I personally feel putting out 1/2 truth in doing so.

While I know it is his intention to create doubt, I do not like his personal attacks as you can see from his emails.

Please remind him of his real job and Florida Bar ethics.

Bob Barnas

—Original Message—

From: Paul.Regensdorf@hklaw.com

Sent: Wednesday, October 31, 2012 9:39pm

To: sharon@yeago.net, sunsetwishes@hotmail.com, ticonderoga47@hotmail.com, jmanley3@yahoo.com, tgdepeter@windstream.net, lltinc@windstream.net, damonwatson@yahoo.com, Cindymac0915@yahoo.com, editor@alachuatoday.com, ballewelyn@aol.com, ourobsvr2@aol.com, chris.curry@gvillesun.com, thecoffeclutch@yahoo.com, dixieazc@windstream.com, wcrossfw@aol.com, globalvisionstore@email.com, bbonnitaf@aol.com, bwilliams@highsprings.us, cpopoli@highsprings.com, ddavis@highsprings.us, deandavis1@windstream.net, donasjewelry@windstream.net, airbear2@live.com, dlmogler@gmail.com, dphshadow@aol.com, emay@highsprings.us, efuggetta@gmail.com, imgreatoz@aol.com, abbots@windstream.net, 4publicissues@gmail.com, allcreationssalon@yahoo.com, bluemoon77@windstream.net, musicjunction@windstream.net, dgest007@aol.com, LCT5555@yahoo.com, ltravis@highsprings.us, lucie@gradyhouse.com, ezap3@windstream.net, paintedlady@windstream.net, linkousmassage@hotmail.com, bastnata@live.com, pjrush@windstream.net, paul@gradyhouse.com, PRegensdorf@stearnsweaver.com, rbeckdpm@gmail.com, ross@westsidestories.com, sagebrusher@windstream.net,

Barnas Ex 5(B)

highspringsemporium@yahoo.com, suefpelra@msn.com, sweiler@highsprings.us, acrysue@gmail.com, suzieann@windstream.net, milkyway386@aol.com, albert@towerpublications.com, april.sanders@bankofamerica.com, adorin@bellsouth.net, mrmjohnson@msn.com, bobbarnas@bosshardtrealty.com, bbentz@landdesignsouth.com, eats@gatorbq.com, oliverdahlgman@windstream.com, globalgreenvisionstore@gmail.com, bsummers@windstream.net, brenda@forresterrealty.com, brent@barislaw.com, cdoherty@greatoutdoorsdining.com, davisog@windstream.net, highspringspawndjewelry@yahoo.com, clh@hostweb.net, clheuss@mac.com, wpburden@aol.com, dabadesigndp@bellsouth.net, oneilconstruction@windstream.net, e.shupe@yahoo.com, post441@gmail.com, shupe@netzero.net, paulkidd1@windstream.net, garygrunder@windstream.net, garygrunder@hotmail.com, genelev@windstream.net, jamesg10@aol.com, lahnehoc@aol.com, hclarich@windstream.net, hsrotary@windstream.com, ireneachami@yahoo.com, jdbain@ferrellgas.com, cbuilder@windstream.net, jim@jdsands.com, jim@santeferiver.com, jcomly@heritage-mechanical.net, shepjohn@windstream.net, shipitandmore@i-3inc.com, judikearney@windstream.net, kbentz@landdesignsouth.com, kbentz@greatoutdoorsdining.com, kelly.barber@edwardjones.com, lgeiger@hospiceofthenaturecoast.org, funtimefoods@windstream.net, theflowerexchange@windstream.net, lwright@msbank.com, mwright@famescable.com, Bennett@truevalue.net, marilyn.vanover@alarionbank.com, mike.ellis@primeconduit.com, griff@eigenpt.com, qstedley@concreteconstructorsllc.com, rene@gue.com, rll@ronaldlawrencegroup.com, rdupont@NorthFloridaHerald.com, ronaldwilson009@windstream.net, snelson@fbchighsprings.org, sanna386@yahoo.com, staceyb@windstream.net, hnkc@gmail.com, snj1900@aol.com, watkinsint-1@hotmail.com, t.hewlett@att.net, thomas.mcintoch@trendrealty.com, toddboyle@hotmail.com, tclarich@windstream.net, rusticinn@windstream.net, thomaswellerattorneyatlaw@windstream.net, windyphi@msn.com

Subject: Judge Griffis Ruling on Challenge to Charter Amendment

To all interested in the course of government in High Springs:

Attached to this email is the interim decision of Judge Stanley Griffis of the Eighth Judicial Circuit in Gainesville, just issued late this afternoon. Judge Griffis is the judge assigned to hear Ross Ambrose's suit against the City, challenging the improper manner in which the Charter Amendment was placed on our ballot for next week's general election.

Every citizen should read it and should understand the context in which this most unusual decision was rendered.

Judge Griffis was quite careful not to directly affect the election next week, thereby preserving as much as possible the rights of all...until his NEXT hearing after the election.

In doing so, however, Judge Griffis analyzed in detail the manner in which this Charter Amendment decision was rushed through the Commission, without thought for citizen participation, without care for proper legal procedures, against the advice of the City Attorney, and in a manner that actually caused the Judge to rule, preliminarily to be sure, that if the ultimate proof matched what he had heard, this ordinance was fatally flawed and will be struck down.

This all happened after only a preliminary hearing; the expected proof of irregularities was so compelling to this judge that he ruled, at the outset, and before the case was even at issue, that Mr. Ambrose and his counsel had demonstrated a substantial likelihood of success on the merits. Accordingly, the Supervisor of Elections was barred from taking any further action regarding the election results in the very unlikely event that the Charter Amendment passes next Tuesday.

The willingness of a Judge in today's times to wade into a "political" issue like this one, especially on the eve of an election, is both startling and refreshing. Our judiciary is under attack from certain quarters, in hopes that judges will become cowed into inaction on controversial matters. In this case, however, the judge was so unimpressed with our City Commission's abilities to govern and follow the rules...even after they were told what they were during the hearing, that he felt compelled to author on his own a 15 page opinion and make sure that it issued before the election. Extraordinary effort by one of our state court circuit judges.

REMEMBER: this case and this order do not address the wisdom [or rather the incredible depth of ignorance] that this proposed charter amendment demonstrates. The rush by the Commission majority in July to get some sort of statement out as "red meat" for the Commission majority's rapidly dwindling number of supporters, in the form of this half-baked idea, is a classic example of how these three Commissioners -- Barnas, Gestrin and Davis -- do not care about how government should be run, the process for discussion and debate. And this cockamamie limitation on spending/borrowing can only completely hamstring any future Commission at a time when we need great flexibility and insight to address the serious problems we face as a city...a significant number of them created in the 11 short months that this Commission majority has run rough-shod over the proper process of government.

SO, DESPITE THIS WONDERFUL PRELIMINARY VICTORY FOR GOOD AND BETTER GOVERNMENT IN HIGH SPRINGS, IT IS, FOR NOW, ONLY THAT -- PRELIMINARY. SO IT IS ESSENTIAL THAT YOU GO TO THE POLLS ON THE 6TH OF NOVEMBER [OR EARLY VOTE BY SATURDAY], GO DOWN TO THE END OF THE BALLOT, VOTE "NO" ON THE CHARTER AMENDMENT AND VOTE FOR BYRAN WILLIAMS FOR COMMISSIONER. PAT RUSH IS A BARNAS CLONE AND WOULD CONTINUE THE DISASTER THAT 2012 HAS BEEN FOR HIGH SPRINGS.

If anyone would like to discuss this decision and its implications, I would be happy to chat about it with you.

Paul

Paul Regensdorf | Holland & Knight

Partner

50 North Laura Street, Suite 3900 | Jacksonville FL 32202

Phone 904.798.7398 | Cell 954.562.9598 | Fax 904.358.1872

paul.regensdorf@hklaw.com | www.hklaw.com

[Add to address book](#) | [View professional biography](#)

*****IRS CIRCULAR 230 DISCLOSURE: TO ENSURE COMPLIANCE WITH**

An update on "antics" and the lawsuit concerning the proposed Charter Amendment

All, while Gary Grunder may consider all of this "antics," [and as one whose work requires him to deal with the City as an attorney – whoever's in charge – he has every right and reason to view things differently, or maybe he just disagrees] i thought it important to update anyone [interested in reading further] to more "antics" from our Vice Mayor. except..... it's not just antics; it a simple attempt at bullying and it should not be tolerated by decent citizens.. to call unacceptable conduct mere "antics" is to denigrate norms of human behavior. let's agree to call them what they are.

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[Interestingly, Bob used his Bosshardt email address. ya gotta love the guy!!]

The results of Mr. Barnas' email to my firm

well, i want to thank Bob for that act, and want to announce to all what effect Bob's complaint has had. Dan Bean [my Executive Partner] suggested that i formally request our firm to approve Holland & Knight's joining the Ambrose lawsuit, pro bono, on Ross' behalf, since Dan agreed that it seemed like a might well be a worthy effort. one of the great strengths of H&K is its willingness to take on numerous causes for people around the country who cannot otherwise afford to pay our billing rates. i am contacting Ross Ambrose and his lawyer today, and will, if successful in that effort, then begin the somewhat tedious effort to clear conflicts and to get firm approval for the pro bono representation of Ross Ambrose. frankly, if Mr. Barnas hadn't rattled Dan's cage, i doubt we would be taking these steps. but we are. thanks Bob.

as a result, since H&K MAY in the next weeks approve this representation [if, of course, Ross agrees] and since my role then would leave the position of being a pure commentator on the Barnasian antics and would move into a possible and potential legal one, i have sent THIS email from a personal email address to make certain that anyone can tell that i am speaking here for myself, and not on behalf of my law firm.....at least not yet.

So don't forget to vote today. Vote against the proposed Charter Amendment [Vote "NO"], and vote for Byran Williams. And take your neighbors and friends to the polls as well.

and if you don't want to read about the "antics" of our City Commission, don't bother reading this far down in the email. just delete it at the start. it's really easy.

-Paul Regensdorf

48

Barnas
6(A)
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VOTE ON NOVEMBER 6TH

GO ALL THE WAY

TO THE END OF THE BALLOT

To ensure your voice is heard!

High Springs Residents... Need a Ride to Vote? We Can Help! Call Sandi at 352-339-4345

**CONCERNED CITIZENS FOR A
BETTER HIGH SPRINGS**

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We, the people...

Susanne Ackermann
Stefi Hulin Affron
Christopher Agle
Ross Ambrose
Lars Anderson
Patsy Anderson
Dickie Arvin
Shari Asbury
Carolyn Baker
Jeannette Banks
Penny Banks, former City employee
JoAnne Barrows
Celeste Beck
Roger G Beck, DPM
Susan J. Beck
Larry Behnke
Anne Alfano Bello
Marilyn Bennett
Karen Bentz
Marvin Blankenship
Susie Blankenship
David Bludworth
Alvan Bluhm
Barbara Bluhm
Norma Boone
Donna Bradbrook
Anna Bradford
Stacey Breheny
Sharon Britton
Jay Bromenschenkel
Susan Brotherton
Linda Buccheri
Heather McCall Caballero
Valorie Cason
Pat Caudle
Dennis Chouinard
Paula Gavin Cifuentes
Heather Clarich
Jeannette Clarich
Thomas Clarich, Sr
Thomas G Clarich
Suzie Clark
Hal Cohen
Linda Cohen
Tina Collins
John Comly
Jim Conner
Barbara Cox
Paige Coyle
Rick Coyle
Crystal Lane Curran
Andrew Daugherty
Carol Daugherty

Karen Wood Davis
Tom DePeter, former City
Commissioner/City Attorney
Joan Dickson
Ron Dickson
Deborah Douglas
Jen Drow
Dawn Lange Drumm
Ronald DuPont, Jr.
Saroj Earl
Terry Emma
Shannon Erickson
Darin Erskin
Holly Erskine
William Eyerly
Jennifer Forrester
Earl Gabriel
Lucille Gabriel
Debbie Gamber
Maggie Gamber
Jim Gamberton
Erin Gardner
Sandi Gardner
Peter George
Allan Graetz
Laura Graetz
Randy Graetz
Alice Green
Patricia Grunder
Donald Gudbrandsen
Elaine Gudbrandsen
Constance Heuss
Michael Heuss
Linda Hewlett
Tom Hewlett
Linda Heyl
Kim Simmons Hill
Brian Hinote
Misty Mead Hinson
Albert Isaac
Lynn Jamison
Scott Jamison, City Commissioner
Loyce A Jones
Becky Johnson, Steering Committee
David Johnson
Bob Jones, Steering Committee
Linda Jones, Steering Committee
Willia Jones
Sharon Kantor
Judi Kearney
Mike Kearney
Wanda Kemp
Barbara Kowats

Bradley Kyes
Alvalyn Lancaster
Karma Norjin Lhamo
Karen Koch LeMonnier
Arlene Dorin Levine
Gene Levine
Nancy Linkous
Tim Linkous
Michael Loveday
Christopher Locke
Angie Lovelock
Buck Machete
Cindy MacKinnon
Ed MacKinnon
Francis MacKinnon
Michael Mahoney
Terry Maltbie
John P Manley III, Steering Committee
Sharon Manley
Kathy Clarich Matheny
Sanford Matheny
Barbara Martin
Dr. Tony Matheny
Herb Matilsky
Robert McClellan
Thomas McDonald
Marilyn Mesh
Dena Meyerhoff
Steve Meyerhoff
Barbara G Miller
Donna Mogler
Henry Mogler
Scott Mogler
Aaron Morphet
Patti Moser
Betty Muller
Patty Napier
Diane Norton
Genie O'Brien
Sylvia Odum
Vanessa Opper
Jayne Orr
Cynthia Pailthorpe
Betsy Patterson
Monalisa Phelps
Andy Phillips
Peter Pintler
Richard Pis
Christian Popoli, former City Planner
Christy Popoli
Nellie Reed
Lucie Regensdorf
Paul Regensdorf
Maggie Riggall
Cathy Rivers
Russell A Roberts
Sanna Saare
Teri J Salomon

Julie Gamber Samosuk
Lynda Shutter Schladant
Saroj Shana
Leslie Smith
Mike Smith
Ashley Spence
Janet Stein
Jim Stein
Darryl Steinhauser
Heidi Tapanes
Rick Testa
Betsy Thomason
Scott Thomason
Nancy Torres
Dorsey Travis
Larry Travis, former City Commissioner
Joanne Tremblay
Sharon Tugman
Jan Walker
Jim Walker
Toni Warner, former City employee
Marlon Watkins
Damon Watson
Sandra Webb
Sue Weller, City Commissioner
Tom Weller
Susie Westfall
Jennifer Whitney
Byran Williams, Candidate for City
Commission
Mike Williamson
Charlett Wilson
Sonja Moore Wilson
Carol Wiltbank
Lee Wiltbank
Jim Wood
Sally Wood
Tom Work
Sharon Yeago
Larry Zorovich

Local Businesses

Adventure Outpost
Back in Balance Natural Health Care
Dive Pub & Grub
Enchanted Memories
Flying Fish
GoHighSprings.com
Grady House Bed & Breakfast
GLA Consulting Group
High Springs Copy Center
Pampered Paws
The Wellness Spa
The Workshop

PLEASE JOIN US by emailing us
at hscitizens@gmail.com or "Like"
us on Facebook.

Bezard Ex?

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla.Stat Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort.

friends post

A Fly in the ointment

Barnes Ex 8

Monday, October 1, 2012

Press Release

CITIZEN GROUP GAINS MOMENTUM

IN SUPPORT OF BETTER GOVERNMENT FOR HIGH SPRINGS

HIGH SPRINGS, FL— A High Springs citizen group is gaining momentum in its effort to effect good policy decisions by local government. **Concerned Citizens for a Better High Springs**, a newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials.

In the three days since announcing its Mission and Guiding Principles through email, Facebook and media releases, more than 100 local residents, businesses and others invested in this small town located in northern Alachua County have signed on to support the group's mission and key principles that provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs' reputation as a fair and open government that is inclusive, open and fair.

The group has appointed a **Steering Committee** comprised of local residents **John Manley, Becky Johnson, Bob Jones and Linda Jones**. An **Events Committee** was also appointed: **Ed MacKinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb**.

"This group of citizens came together out of a deep concern for the City of High Springs. The City is at a crossroads. The direction our city government has taken in the last 10 months is destroying any chance of progress for the City; and, conversely, is actually pushing the City backwards to the point that the City will no longer be a viable, functioning seat of government. We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the Citizens can get behind and work to make happen," states **Steering Committee Chair John P. Manley, III** as the reason for the group's formation.

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

##

Background:

Mission Statement: Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future.

Guiding Principles:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Supporters as of 10/1/12 at 10:30a.m.: Stefi Hulin Affron, Ross Ambrose, Dickie Arvin, Shari Asbury, Back in Balance Natural Health Care, Carolyn Baker, Jeannette Banks, Penny Banks, JoAnne Barros, Roger G. Beck, DPM, Susan J. Beck, Marilyn Bennett, Karen Bentz, Marvin Blankenship, Susie Blankenship, Stacey Breheny, Sharon Britton, Jay Bromenschenkel, John Caldwell, Jeannette Clarich, Thomas G Clarich, Suzie Clark, Dive Pub & Grub, Jen Drow, Dawn Lange Drumm, Ronald DuPont, Jr., Saroj Earl, Terry Emma, Enchanted Memories, Flying Fish, Earl Gabriel, Lucille Gabriel, Debbie Gamber, Maggie Gamber, Grady House Bed & Breakfast, Alan Graetz, Laura Graetz, Randy Graetz, Patricia Grunder, Linda Hewlett, Tom Hewlett, Lynn Jamison, Scott Jamison, Becky Johnson, Bob Jones, Linda Jones, Sharon Kantor, Wanda Kemp, Barbara Kowats, Arlene Dorin Levine, Gene Levine, Nancy Linkous, Tim Linkous, Angie Lovelock, Cindy MacKinnon, Ed MacKinnon, Francis MacKinnon, John P Manley III, Sharon Manley, Kathy Clarich Matheny, Sanford Matheny, Dr. Tony Matheny, Barbara Martin, Herb Matilsky, Robert McClellan, Thomas McDonald, Barbara G Miller, Donna Mogler, Henry Mogler, Scott Mogler, Patti Moser, Patty Napier, Genie O'Brien, Jayne Orr, Cynthia Pailthoree, Pampered Paws, Monalisa Phelps, Andy Phillips, Christian Popoli, Christy Popoli, Lucie Regensdorf, Paul Regensdorf, Maggie Riggall, Russell A. Roberts, Sanna Saare, Julie Gamber Samosuk, Darryl Steinhauser, Heidi Tapanes, Nancy Torres Dorsey Travis, Larry Travis, Damon Watson, Pro Realty of Gainesville, Inc., Sandra Webb, Sue Weller, Tom Weller, Jennifer Whitney, Byran Williams, Mike Williamson, Charlette Wilson, Sonja Moore Wilson, Jim Wood, Sally Wood, Sharon Yeago.

-Nancy

Posted by post441 at 10/01/2012 03:52:00 PM

[Newer Post](#)

[Home](#)

[Older Post](#)



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

June 10, 2013

The Honorable Robert J. Barnas
20147 NW 257th Terrace
High Springs, Florida 32643

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Barnas:

~~The Florida Elections Commission has received your complaint alleging violations of~~
Florida's election laws. I have reviewed your complaint and find it to be legally
insufficient.

In your complaint, you essentially allege that Respondent's organization, Concerned Citizens for a Better High Springs, is a political committee, and that Respondent should have registered it, appointed a treasurer and a registered agent, and filed reports disclosing the group's expenditures. I find this complaint to be legally insufficient because you did not provide sufficient evidence that Concerned Citizens for a Better High Springs is a "political committee" as the term is defined by Section 106.011(1)(a), Florida Statutes.

In order to meet the definition of a "political committee," a group must make expenditures in excess of \$500 "that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." There is no cost to create a Facebook page or to post information to a Facebook page, so the Facebook postings referenced in the complaint do not represent expenditures. In addition, the flier and the newspaper advertisement included with the complaint do not use words of express advocacy such as "vote for," "vote against," or "elect," with respect to a particular candidate or issue and, as such, they are not "political advertisements" or expenditures that otherwise render the group a political committee.

Because Concerned Citizens for a Better High Springs is not a "political committee" as that term is defined in Ch. 106, Florida Statutes, it was not required to register, appoint a treasurer or registered agent, or file disclosure reports. The group also does not meet the definition of an "electioneering communications organization" because the exhibits provided with the complaint are not "electioneering communications." (See Sections 106.011(18) and (19), Florida Statutes.) As such, this complaint is legally insufficient.

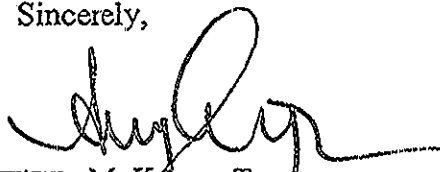
Barnas & 9

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If the additional information corrects the stated ground(s) of insufficiency, I will notify both you and the Respondent. If you submit an additional statement containing facts, you must sign the statement and have your signature notarized In addition, any additional facts you submit to the Commission must be based on either personal information or information other than hearsay.

Until this case is closed, section 106 25(7), Florida Statutes, provides that the Respondent may not disclose this letter, the complaint, or any document related to this case, unless he or she waives confidentiality in writing. To waive confidentiality, the Respondent must mail or fax a written waiver of confidentiality to Donna Ann Malphurs at the address or fax number listed above.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Amy McKeever Toman
Executive Director

AMI/dam

cc: Paul R Regensdorf, Attorney for Respondent, w/out complaint

FLORIDA ELECTIONS COMMISSION

REVIEW OF COMPLAINT FOR LEGAL SUFFICIENCY

~ PRELIMINARY INFORMATION ~

Date Received: 04/03/13	Reviewer: David	Case #: FEC 13-125	<input checked="" type="checkbox"/> ORIGINAL <input type="checkbox"/> AMENDED
-------------------------	-----------------	--------------------	--

Complainant: Robert J Barnas	Respondent: Sharon L. Yeago
-------------------------------------	------------------------------------

Complainant:	Complainant is a member of the High Springs City Commission; he is currently serving as "vice mayor" Complainant was first elected to the city commission on November 8, 2011; he will be up for re-election in 2014 Complainant has been employed as a realtor with Bosshardt Realty since 2005
---------------------	--

Respondent:	Respondent is a food systems consultant She advises local, state, and national organizations on the successful development of farmers markets, local food systems, and the implementation of federal agriculture and nutrition programs Respondent is the manager of Sharon L Yeago, LLC.
--------------------	---

Background:	<p>The City of High Springs held a municipal election on November 6, 2012. The supervisor of elections for Alachua County ran the election along with the state and county elections. The ballot for the municipal election included a referendum question pertaining to a proposal to amend the City Charter, and the names of two candidates seeking to fill seat four on the City Commission.</p> <p>Byran Williams secured more than 55 percent of the vote to win a three-year term as a member of the City Commission. And electors voted 2-to-1 to adopt the proposal to amend the City Charter to restrict municipal borrowing. Based upon the complaint, and my research, it would appear that Respondent was in favor of Mr. Williams, however, it also appears that she was of the opinion that the City Charter should not be amended.</p>
--------------------	--

~ VIOLATIONS ~

Violations in complaint:	§106 021(1)(a), §106 022(1), §106 03(3)(c), §106 06, §106 07, §106 19(1)(d)
Reviewer's violations:	§106 03(1)(a), §106 19(1)(c)
Violations for CMS:	§106.03(1)(a)

~ COMPLAINT ISSUES ~

1. Complainant alleges that Respondent was required to register her unincorporated group, Concerned Citizens for a Better High Springs, as a political committee, but failed to do so
2. Complainant alleges that Respondent was required to appoint a treasurer and a registered agent, and to file reports disclosing the group's expenditures, but failed to do so

~ REVIEW OF COMPLAINT ISSUES ~

1. With a review of the complaint and attachments, as well as the definition of "political committee" in Section 106 011(1)(a), Florida Statutes, Complainant appears to be without evidence of a local political

committee requiring registration with the city clerk's office. I found no evidence that Respondent and her group had spent anything, much less \$500.00, for express advocacy pertaining to the November 6, 2012 municipal election. In support of his complaint, Commissioner Barnas submitted the following documents for our review:

- Copies of a ballot and a printout of the election results (Exhibit 1)
- Copies of e-mail messages of Complainant communicating with Respondent, and Complainant communicating with Lee Vincent and Scott Walker; and a Facebook posting by Linda Jones, a "member" of Respondent's group (Exhibit 2)
- Copies of postings on Respondent's Facebook page (Exhibit 3)
- Copies of articles by newspaper reporters about Respondent's group, Concerned Citizens for a Better High Springs [CCFBHS] (Exhibit 4)
- A copy of a three-page flier (Exhibit 5)
- A copy of a full-page advertisement published by Respondent's group in the November 1, 2012 Edition of the *Alachua County Today* (Exhibit 6)

Facebook (Exhibit 3, and 2):

The closest example of express advocacy on Facebook appears to be a posting by Gene Levine, an alleged "member" of Respondent's group. In his posting, Mr. Levine states: "We will vote for Byran Williams because..." However, this does not appear to be an example of a political advertisement by Mr. Levine or Respondent's group because it is not a paid advertisement. As I have understood, anyone can open a Facebook account and make all the postings they want, free of charge.

Three-page Flier (Exhibit 5):

The flier is not a political advertisement because it is void of express advocacy.

And based upon the complaint, the flier was distributed as a handout at a candidates' forum which was held at the High Springs Woman's Club. Further, while the flier discloses the position held by Respondent's group pertaining to the proposed amendment to the City Charter, it offers no insight as to the group's position pertaining to candidates running for the High Springs City Commission. Therefore, the flier could not be considered as an electioneering communication. By definition (Section 106.011(18)(a), Florida Statutes), an electioneering communication does not include messages distributed by hand. And electioneering communications pertain to candidates, only.

Full-page Newspaper Advertisement (Exhibit 6):

Finally, the newspaper advertisement is not a political advertisement because it is void of express advocacy.

And while a newspaper advertisement is covered by the definition of an electioneering communication, and the advertisement at issue identifies a candidate by name among a list of 202 individuals and 12 businesses, the ad provides no insight as to the opinion of Respondent's group pertaining to Byran Williams' possible fitness for public office—nothing.

[Legally insufficient]

2.	<p>There appears to be no evidence that Respondent and her group engaged in activities requiring registration as a political committee or as an electioneering communications organization. Therefore, there appears to have been no need to appoint a treasurer and registered agent, or to file treasurer reports pertaining to the group's expenses [Legally insufficient]</p>
<p>~~~~~ REVIEWER'S RECOMMENDATION AND COMMENTS ~~~~~</p>	
<p>I recommend that this complaint is legally insufficient because Complainant appears to be without evidence that would demonstrate that Respondent had a duty to register as a political committee or as an electioneering communications organization</p>	
<p>~~~~~ WAS COMPLAINT SWORN? ~~~~~</p>	
<p>Complainant swore to the complaint on April 1, 2013. The two-page complaint form and attachments were filed with the FEC on April 3, 2013. The notary is Deborah A. Vaughn, the commission number is EE 20430, and the commission expires on August 24, 2014</p>	
<p>~~~~~ ADDRESSES AND ASSIGNMENT ~~~~~</p>	
<p>Respondent's Address:</p>	<p>Complainant's Address</p>
<p>Ms Sharon L. Yeago 21120 N.W. 132nd Lane High Springs, Florida 32643</p>	<p>The Honorable Robert J. Barnas* 20147 N.W. 257th Terrace High Springs, Florida 32643</p>
<p>Assigned Investigator:</p>	
<p>Reviewer's Notes:</p>	<p>*<u>COMPLAINANT</u> is currently serving the City of High Springs in the capacity of the city's "Vice Mayor"</p>



FLORIDA ELECTIONS COMMISSION

107 W Gaines Street,
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

June 28, 2013

Paul Regensdorf, Esquire
Holland & Knight
50 North Laura Street
Jacksonville, FL 32202

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Regensdorf:

On June 10, 2013, the Florida Elections Commission notified Robert J. Barnas that the complaint he filed on April 3, 2013 was legally insufficient. Since the Commission did not receive any additional information that corrected the stated grounds of insufficiency, the case has been closed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy McKeever Toman".

Amy McKeever Toman
Executive Director

AMT/dam

cc: Robert J. Barnas, Complainant

Barnas Ex 10

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

Re: Sharon L. Yeago

Case No.: FEC 13-125

TO: Paul Regensdorf, Esquire
Holland & Knight
50 North Laura Street, Suite 900
Jacksonville, FL 32202

Robert J. Barnas
20147 NW 257th Terrace
High Springs, FL 32643

NOTICE OF HEARING (MOTION FOR ATTORNEYS FEES)

A hearing will be held in this case before the Florida Elections Commission on **November 13, 2013 at 10:00 am**, or *as soon thereafter as the parties can be heard*, at the following location: **Senate Office Building, Room S-110, 404 South Monroe Street, Tallahassee, FL 32399.**

Failure to appear in accordance with this notice will constitute a waiver of your right to participate in the hearing. Continuances will be granted only upon a showing of good cause. Motions or other materials received after 5:00 p.m. on August 9, 2013 (the Friday before the meeting) may not be considered by the Commission.

This hearing will be conducted pursuant to Section 106.25, Florida Statutes, which governs your participation as follows:

If you are the Respondent, you may attend the hearing, and you or your attorney will have 5 minutes to present your motion to the Commission.

If you are the Complainant, you may attend the hearing, and you or your attorney will have 5 minutes to present your response to the Commission.

Please be advised that both confidential and public cases are scheduled to be heard by the Florida Elections Commission on this date. As an Appellant, Respondent or Complainant in one case, you will *not* be permitted to attend the hearings on other confidential cases.

The Commission will electronically record the meeting. Although the Commission's recording is considered the official record of the hearing, the Respondent may provide, at his own expense, a certified court reporter to also record the hearing.

If you require an accommodation due to a disability, contact Donna Malphurs at (850) 922-4539 or by mail at 107 West Gaines Street, The Collins Building, Suite 224, Tallahassee, Florida 32399, at least 5 days before the hearing.

See further instructions on the reverse side.

Amy McKeever Toman
Executive Director
Florida Elections Commission
October 24, 2013

Barnas
Ep 11

About

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

Description

"Good Policy equals good government"

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents


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We the People . Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com.

Basic Info

Founded September 28, 2012

Life Events

2012  Founded on September 28, 2012

*Barnes
Ex 11(A)*

Effective:[See Text Amendments]

Code of Federal Regulations Currentness
 Title 11 Federal Elections
 Chapter I. Federal Election Commission
 Subchapter A. General
 ☞ Part 100 Scope and Definitions (2 U.S.C. 431) (Refs & Annos)
 ☞ Subpart A. General Definitions (Refs & Annos)
 → § 100.22 Expressly advocating (2 U.S.C. 431(17)).

Expressly advocating means any communication that--

(a) Uses phrases such as "vote for the President," "re-elect your Congressman," "support the Democratic nominee," "cast your ballot for the Republican challenger for U.S. Senate in Georgia," "Smith for Congress," "Bill McKay in 94," "vote Pro-Life" or "vote Pro-Choice" accompanied by a listing of clearly identified candidates described as Pro-Life or Pro-Choice, "vote against Old Hickory," "defeat" accompanied by a picture of one or more candidate(s), "reject the incumbent," or communications of campaign slogan(s) or individual word(s), which in context can have no other reasonable meaning than to urge the election or defeat of one or more clearly identified candidate(s), such as posters, bumper stickers, advertisements, etc. which say "Nixon's the One," "Carter '76," "Reagan/Bush" or "Mondale!"; or

(b) When taken as a whole and with limited reference to external events, such as the proximity to the election, could only be interpreted by a reasonable person as containing advocacy of the election or defeat of one or more clearly identified candidate(s) because--

(1) The electoral portion of the communication is unmistakable, unambiguous, and suggestive of only one meaning; and

(2) Reasonable minds could not differ as to whether it encourages actions to elect or defeat one or more clearly identified candidate(s) or encourages some other kind of action.

[60 FR 35304, July 6, 1995; 60 FR 52069, Oct. 5, 1995]

SOURCE: 45 FR 15094, March 7, 1980; 65 FR 38422, June 21, 2000; 67 FR 12839, March 20, 2002; 67 FR 49111, July 29, 2002; 67 FR 65210, Oct. 23, 2002; 68 FR 451, Jan. 3, 2003; 74 FR 63964, Dec. 7, 2009, unless otherwise noted.

AUTHORITY: 2 U.S.C. 431, 434, 438(a)(8), and 439a(c)

11 C.F.R. § 100.22, 11 CFR § 100.22

Current through April 17, 2014; 79 FR 21647

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END OF DOCUMENT

Baenas
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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

FILED

13 DEC -4 AM 9:27

In Re: Sharon L. Yeago

Case No.: FEC 13-125

STATE OF FLORIDA
ELECTIONS COMMISSION

ORDER ON PETITION FOR ATTORNEYS FEES AND COSTS

THIS MATTER was heard by the Florida Elections Commission at its regularly scheduled meeting on November 13, 2013, in Tallahassee, Florida on Respondent's Petition for Attorney's Fees and Costs pursuant to Florida Statute 106.265 and Rule 2B-1.0045. The Commission reviewed the Petition and the case file, and was otherwise fully advised in the premises, and it is hereby

ORDERED and **ADJUDGED** as follows:

1. Respondent's Petition contains sufficient facts and grounds to support a claim for costs and attorney's fees.
3. This matter shall be referred to the Division of Administrative Hearings for a formal hearing.
4. The parties to the claim shall be the respondent and the complainant. The Respondent shall prove by clear and convincing evidence that he is entitled to an award of costs and attorney's fees. The Commission shall review the recommended order of the designated administrative law judge and the parties' exceptions before entering a final order.

DONE AND ORDERED by the Florida Elections Commission on November 13, 2013.



Tim Holladay, Chair
Florida Elections Commission

Copies furnished to:
Amy Toman, Executive Director
Robert Barnas, Complainant
Paul R. Regensdorf, Attorney for Respondent



Re: FEC 13-125 - Submission of Additional Documentation at the 11/13/13 Hearing
 Bob Barnas
 to:
 Donna Malphurs
 10/29/2013 04:39 PM
 Show Details

3 Attachments



graycol.gif CCF10292013_00000.pdf CCF10292013_00001.pdf

Donna,

Attached please find a letter and documents for the Commission. Please let me know you received all.

Case 13-125

Bob Barnas

On Tue, Oct 29, 2013 at 9:34 AM, Donna Malphurs <Donna.Malphurs@myfloridalegal.com> wrote:

Dear Mr. Barnas,

This email summarizes our telephone conversation this morning and confirms that you **are not** requesting a continuance in this matter. If I have misunderstood, please advise me immediately.

Please keep in mind that any additional documentation submitted in this matter will be offered to the Commissioners the morning of the hearing, and such documents will be reviewed at their discretion.

If you have any additional questions, please let me know.

Donna Ann Malphurs, Agency Clerk
 Florida Elections Commission
 850-922-4539 x 102

Bob Barnas ---10/29/2013 02:12:19 AM---Ms. Malphurs, In reviewing the attachments for my case I have a problem.

From: Bob Barnas <bbarnas@highsprings.us>
 To: Donna Malphurs <Donna.Malphurs@myfloridalegal.com>
 Date: 10/29/2013 02:12 AM
 Subject: Re: 13-125

Ms. Malphurs,

In reviewing the attachments for my case I have a problem.

- 1) I received a letter dated June 10, 2013 finding my complaint legally insufficient.
- 2) Received a letter dated June 28, 2013 that the case was closed.

Other than those two letters, I received nothing from the FEC.

In looking at your attachments there are numerous documents from the Respondent, her attorney and affidavits that I have never seen until Oct. 28, 2013

Allegations on the case itself, and a motion for Attorney fees I have never seen. I would have expected that when these case documents were given to the FEC, I should have been provided copies. Not to mention the additional motion.

Then on Oct 28, 2013 I received a letter telling me of a NOTICE OF HEARING (MOTION FOR ATTORNEYS FEES). That notice may have also had a typo concerning a date for continuance

So in short, I had no idea this case had a reply from the Respondents attorney, and a Motion for Fees. I had no idea there was a reply, and what the grounds were against me. And now that I have read them, I feel that there is not going to be sufficient time to prepare for this myself. There are many misleading statements and documents given to the Commission that need to be properly addressed.

I close in asking a question. Is it part of the procedure for the Complainant to be copied, or supplied with a copy of any Motions filed that would continue a case? As I read FEC Rules I see 2B-1.0045 states that to claim costs and attorney fees, the respondent shall file a petition the the Commission within 30 days of dismissal. That apparently **was** done on July 11, 2013. The rule then goes on to say, the Commission clerk shall forward a copy of the petition to the complainant by certified mail. That apparently **was not** done.

Having said this, I am going to speak to an attorney in the next few days and then see the options I may have. If after reading this, you have a suggestion, please contact me.

Bob Barnas
High Springs City Commissioner
352-538-7355

On Mon, Oct 28, 2013 at 3:35 PM, Donna Malphurs <Donna.Malphurs@myfloridalegal.com> wrote:

Mr. Barnas,

I have emailed you the records pertaining to this case. Please confirm you received them.
Thanks

Donna Ann Malphurs, Agency Clerk
Florida Elections Commission

850-922-4539 x 102

--
Bob Barnas
Office of High Springs City Commissioner
On Behalf of the City of High Springs
352-538-7355

Please note:

Florida has a very broad public records law. Most written communication, including e-mail addresses, to or from the City regarding City business are public records available to the public and Media upon request. Your e-mail communication may be subject to public disclosure.

--
Bob Barnas
Office of High Springs City Commissioner
On Behalf of the City of High Springs
352-538-7355

Please note:

Florida has a very broad public records law. Most written communication, including e-mail addresses, to or from the City regarding City business are public records available to the public and Media upon request. Your e-mail communication may be subject to public disclosure.

October, 29, 2013

FLORIDA ELECTION COMMISSION
107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399
Attn: Donna Malphurs

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Ms. Malphurs and the Florida Election Commission,

On October 28, 2013 I received an regular letter informing me that there would be a FEC hearing scheduled for my complaint case number 13-125 This hearing would be on November 13, 2013 at 10:00am in Tallahassee.

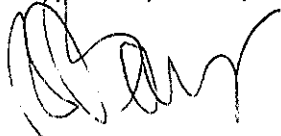
Immediately upon receiving this letter I contacted you at your office and we had a conversation and emails were exchanged to bring me up to date on this case. It had been my understanding that it ended with a letter dated June 28, 2013 from the FEC that the case was closed

Since that letter I have received no additional emails or correspondence from the office of the FEC. Your office has confirmed that no additional emails, letters (regular or certified) have been sent to me either by mail or electronic communication So I hope you see my surprise that this case is still ongoing and that I am now being asked to pay fees and costs

In the conversations and emails that have taken place since Oct. 28, 2013, and following my review of the documents you sent me, I informed you that it was in the best interest of the FECs' time, my time and the case to me NOT ask for a continuance.

After my review of documents, and considering the miscommunication concerning timeline of events, I am asking that you submit the paperwork title REPLY TO MOTION FOR ATTORNEYS FEES, to the commission and for the record

Thank you for your help and understanding



Robert J. Barnas, Complainant
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355

October 29, 2013

REPLY TO MOTION FOR ATTORNEYS FEES AND COST

Case No.; 13-125

Respondent: Sharon L. Yeago

Complainant: Robert J. Barnas

Basis for the complaint was that Concerned Citizens for a Better High Springs was and is a Political Committee and failed to register and do filings as required.

Florida Statute 106.11(1)(a) 1. Defines a "Political committee" as a combination of two or more individuals, or a person other than an individual, that, in an aggregate amount excess of \$500 during a single year:

c. Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue.

The statute does not say that to be a committee they must say vote yes or no. It simply says, "that expressly advocate the passage or defeat of an issue" (in this case).

It also says they must spent \$500 or more. And there is no doubt or question that the newspaper ad alone cost more than that.

I made no other claims that were malicious, false or with intent to harm anyone. Just uphold what I see as law and the truth.

I submitted documents as did Mr. Regensdorf. I said in writing and in the submitted exhibits that showed where there was a handout opposed the debt limit. I also submitted the page on their Facebook that says the same. An opposition to the debt limit that was on the upcoming ballot.

The key documents I submitted with my original complaint are:

- 1) "exhibit 5". CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS, two sided Mission Statement in handout form. Read this carefully, because it has Five Key Areas of Principal Concern. With 5 being opposition to ballot debt limit issue.
- 2) A Facebook post that I submitted that was posted on 10/10/2012 that matches exactly the handout distributed by the organization.

This two sided handout I submitted was distributed at the Woman's Club Forum where candidates spoke on October 23, 2012. Ten days after the Facebook opposition to the debt limit was posted

Now, in his request for fees and costs, Mr. Regensdorf also submitted a Mission Statement as an exhibit "A". But here is the difference. His Mission Statement and exhibit has the same font on the top, and the same wording on the top, but everything else is different to fit his claim for fees and cost. **Five Key areas is gone. It only now has 4. Number 5 was the opposition to the debt.**

Mr. Regensdorf claim for fees and cost many times state that the organization never opposed anything. This might have a little merit, if you use HIS exhibit "A". So I ask the commission to carefully look at the Mission Statement I submitted, then compare the exhibit of Mr. Regensdorf. Then ask the question, "why would a lawyer submit an altered document"? You can't make this stuff up.

Next I submitted a copy of the newspaper ad. Many names of which include a Tom Hewlett, who memorializes his name as a member of the organization. Along with many others including Mr. Regensdorf.

In my complaint I mention a sign that said VOTE NO. I did not know who made it or got a picture of it. In his claim for fees and costs, Mr. Regensdorf has another exhibit "2". Page 35-38 are an Affidavit by Tom Hewlett, the member who we now know made the sign. Tom Hewlett as a member of the organization posted the VOTE NO sign on the fence. A clear opposition as a member.

Then in the last year, the esteemed attorney in the organization, Mr. Regensdorf along with an attorney Linda Rice Chapman filed a lawsuit for another member of the organization, a Mr. Ross Amborse, to oppose the ballot issue and the vote. Another clear opposition by members of the group to the ballot issue. What is the cost of that? And it has resulted in the voiding of 1801 votes. And a **ruling by Judge Griffis of with prejudice for "no attorney fees", and an order denying a separate motion for Reconsideration for attorney fees in that case. And now, a appeal to the 1st District Court for Attorneys fees ONLY, in that case.**

I still feel that this organization is a political committee as defined. what I do not have is the resources to continue this fight and get Affidavits of others who can corroborate my complaint and connect the spending of more than \$500. I cannot afford depositions and in the best interest of the City of High Springs stopped filing in the case.

I did not do this complaint with malice, hate or intent to harm anyone. I just wanted the truth, I SUBMITTED the truth and felt the FACTS spoke for themselves.

Attached are :

Exhibit 1, The Facebook post from October 10, 2012 that matches the Original Mission Statement passed out at the candidate forum.

Exhibit 2, Original (unaltered version) Mission Statement of the Concerned Citizens for a Better High Springs. Handed out on October 23, 2012.

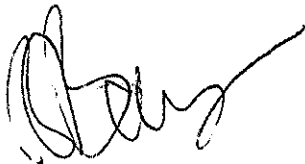
Exhibit 3, The new and altered and improved Mission Statement submitted as supporting document by Mr. Regensdorf. Altered from the original version in my complaint to better suit his current position. so, when did this change occur?

Exhibit 4, Tom Hewlett Affidavit stating he held a sign in opposition to the debt to vote NO.

The final comment I have is that if you are a member of a organization (as stated plainly in the newspaper) , that still is on the internet and Facebook alive and well where does your connection end? And you have been at meetings or passing out flyers in a booth or recruiting while making statements opposing candidates or issues and then you post a sign that says VOTE NO, or file a lawsuit in opposition to a ballot issue, WHERE DOES SEPERATION OCCUR? When does a separation occur from of the organization to an individual person?

Again, nothing was done with malice or intent to harm. I submitted my complaint in good faith

I ask that this commission deny a motion for fees and costs

A handwritten signature in black ink, appearing to read 'Robert J. Barnas', with a long, sweeping flourish extending to the right.

Robert J. Barnas, Complainant
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355

EXHIBIT 1
(3 PAGES)

POSTED
10/10/2012
STILL ON
FACEBOOK

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000 but always projected at less than the City's cost;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years, and an expected further drop of at least 9%, making the local dispatch center's increased cost inappropriate at this time.

THEREFORE, WE BELIEVE: Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.
 - a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour;
 - b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices;
 - c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

THEREFORE, WE BELIEVE: The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance.

- a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices;
- b. The City has been operating without an experienced City Manager, City Attorney, City Planner, City Engineer, Public Works Director, full time Codes Enforcement Officer, full time Utilities Operator, and full time Parks and Recreation staff leaving the City with a significant loss of institutional knowledge making it very vulnerable in all phases of operation and management oversight;
- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

THEREFORE, WE BELIEVE: The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

a) Water & Sewer- Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event.

Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again;

b) Brick & Mortar - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

THEREFORE, WE BELIEVE: Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt,

before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla.Stat Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>

EXHIBIT 2
(2 PAGES)

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

FIVE KEY AREAS OF PRINCIPAL CONCERN:

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.

- a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
- b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
- c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service.

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

- a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
- b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices
- c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance

- a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices
- b. The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. **Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.**
 - a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
 - b) **Brick & Mortar -** City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

EXHIBIT 3
(3 PAGES)

ALTERED
"MISSION
ITEM 5"

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosiqm3>



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate; her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p.m., when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission.

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City.

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106 011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>

EXHIBIT 4
(4 PAGES)

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF THOMAS HEWLETT

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the
within named Thomas Hewlett who, after being duly sworn on oath stated as follows:

1 My name is Thomas Hewlett and my residence is 315 SE 6th Lane, in the City of
High Springs, Florida.

2 I have personal knowledge of each and every fact set forth in the following
affidavit and each statement contained herein is true and correct

3 I was aware of the formation of a concerned citizens group in the City of High
Springs in the Fall of 2012 because the tenor of City government in High Springs, led largely by
the three person majority including the Vice Mayor, Robert Barnas, had become uncivil,
unnecessarily contentious, and unacceptable. As a result of these realities in our City, a group of
citizens formed an informal organization called the Concerned Citizens For a Better High
Springs. I was not on the steering committee of that organization, but I attended several
meetings and I am aware of the work that they did and the goals that they set.

4 The Concerned Citizens group developed a number of goals and policies that it
wished to advocate, none of which was directly related to supporting the candidacy of any
individual, the opposition to any candidate, nor the passage or opposition of any ballot issue on
the November 2012 election. In fact, the Concerned Citizens group consciously avoided any
such endorsement for or against any individual or any issue so that it could stay above the fray.
The issues that the public statements and the newspaper advertisement by this group clearly



raised reflect that commitment to good government, but avoid any endorsement of or expressly advocating for or against any candidate or for or against any issue on the November 2012 ballot.

5 On the November 2012 ballot in the City of High Springs was a charter amendment pushed significantly by the Vice Mayor, Robert Barnas, which was designed to severely limit the power of future city commissions to govern.

6 Since the Concerned Citizens group took no public position whatsoever with respect to that charter amendment, and since the City Commission majority [including Vice-Mayor Barnas] distributed no information of any sort that explained the proposed amendment, my wife Linda and I decided as individual citizens that we would put up signage against the passage of that ordinance. Without any consultation with the Concerned Citizens group, and neither seeking nor obtaining the endorsement or help of any group in the City of High Springs, my wife and I paid a total of \$98.58 to obtain two commercially printed signs that urged the citizens of High Springs to vote "No" on the proposed charter amendment. The signs made no reference to the Concerned Citizens group whatsoever.

7 Photographs of the fronts and backs of these signs are attached hereto as Exhibits

8 The Concerned Citizens group was not aware of the preparation of these signs, they did not endorse the preparation of these signs, they did not contribute to the funding for these signs, and did not in any way suggest any design or format for these signs. My wife and I took this on ourselves as individual citizens in the City of High Springs. A copy of the payment that we made from our personal checking account is attached hereto as an Exhibit as well.

9 As the election approached, another individual citizen in the City of High Springs brought a personal lawsuit against the City, challenging the method by which this charter amendment had been rammed through the City Commission, largely by Vice-Mayor Barnas.

Ultimately, the circuit court in Gainesville agreed with this citizen's personal challenge and found the ordinance to have been improperly enacted and void from the start. The court's preliminary injunction and final order are attached to this affidavit as additional exhibits. The final decision from the Court did not come until the City conceded defeat, after the election.

10 On election day, my husband and I with a friend brought the signs that we had purchased to the two City polling places and put them up.

11 I still have one of the signs in question. These were our idea and we paid for them. My wife and I will further explain these circumstances to any governmental body in the State of Florida if it is necessary.

FURTHER AFFIANT SAYETH NOT

Thomas E. Hewlett
Affiant's Signature

STATE OF FLORIDA
COUNTY OF Alachua:

The foregoing instrument was acknowledged this 22 day of April, 2013, by Thomas C. Hewlett who is personally known to me or who has produced as identification

Witness my hand and official seal this 22 day of April, 2013



SHANNON HESTER
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE063524
Expires 2/7/2015

Shannon Hester
Notary Public
Printed Name
of Notary

Shannon Hester

Commission Expires: 2/7/2015

Commission Number EE053824

Page 1



FEC Case 13-125 Petition For Attorneys fees
Paul Regensdorf
to:
Donna Malphurs
07/10/2013 04:55 PM
Show Details

2 Attachments



Petition for Attorneys fees pdf yeago exhibits_07_10_2013_16_51_13_623 pdf

Ms. Malphurs,

Attached please find Ms Yeago's Petition for attorneys fees I have scanned and attached the petition separately from the exhibits.

Thank-you.

Respectfully submitted,

Paul R Regensdorf

Paul Regensdorf | Holland & Knight

Partner

50 North Laura Street, Suite 3900 | Jacksonville FL 32202

Phone 904 798 7398 | Cell 954.562.9598 | Fax 904 358.1872

paul.regensdorf@hklaw.com | www.hklaw.com

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STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

CASE NO.: FEC 13-125

In Re: SHARON L YEAGO
Respondent.

**PETITION FOR ATTORNEYS FEES AND COSTS
PURSUANT TO FLORIDA STATUTE §106.265 AND
RULE 2B-1.0045 OF THE FLORIDA ELECTIONS COMMISSION**

The Respondent, Sharon L. Yeago, by and through her undersigned counsel, files this Petition for Attorneys' Fees and Costs Pursuant to Florida Statute §106.265 and Rule 2B-1.0045 of the Florida Elections Commission, and would show this Commission as follows:

I. Summary of basis for the imposition of attorneys' fees in this cause.

1 The Florida Elections Commission is charged with the weighty responsibility of enforcing Florida's Election Code to ensure that those who participate in Florida's electoral system play by the rules and comply with Florida law. When a candidate or an official is shown to have violated Florida's Election Code, this Commission is required to impose the sanctions that the law allows to ensure the purity of the electoral process.

2 The flip side of that responsibility, however, is just as important, and some would say that in the very few cases to which it applies, perhaps even more important. That is that when a person in the State of Florida, with malicious intent, or reckless disregard for the truth of the allegations contained in a complaint hails a good citizen before the Florida Elections Commission and charges them with corrupting the electoral process in some way by violating the Florida Elections Code, then that wrongful complainant should himself be brought before the

Commission and required to pay the fees and costs of the person who has been wrongfully and recklessly hailed before this Commission

3 Any fair review of the complaint filed by Mr. Robert Barnas against Sharon Yeago will demonstrate that the malicious intent, and certainly reckless disregard sufficient for the imposition of attorneys fees were present in Mr. Barnas' complaint by virtue of the fact that he made repeated simple factual allegations in his complaint which he knew to be false and which the very documents attached by him to his detailed complaint established, without question or peradventure, were indeed false. Notwithstanding the actual knowledge of the falsity of the factual allegations in his complaint, and fully knowledgeable of the position held by the respondent Ms. Yeago in the State of Florida as a person widely respected and placed in a position of public trust, Mr. Barnas planned and persevered over a number of months to file this complaint, as he has in so many other cases in bringing baseless charges against good citizens in the High Springs, Florida community such as Sharon Yeago.

4 Mr. Barnas' charges are not mere matters of opinion nor are they allegations about which reasonable people could disagree; instead, they are simple allegations of purported "fact" that are false, were proven false by the very information submitted by Mr. Barnas, and known by him to be false.

5 This Commission in the fulfillment of its obligations under the Florida Statute §106.265 and Rule 2B-1.0045 should determine that this petition contains sufficient facts and grounds to support a claim for costs and attorney's fees and should schedule the requisite hearing to consider and then impose attorneys' fees and costs against Mr. Barnas in this matter.

II. What a proper complaint for failing to register a political committee would look like, **IF** there had been a political committee in existence which had violated Florida's Election Code.

1. The law with respect to unregistered political committees that expressly advocate for or against an issue, or for or against a candidate, is exceedingly clear and simple. Were there to be a violation of the Election Code, a valid, legally-sufficient complaint would have had to say little more than this:

a. Organization X expressly advocated for [or against] a specific issue on the November 2012 ballot and/or expressly advocated for [or against] a specific candidate on the November 2012 ballot; and

b. Organization A made expenditures in an aggregate amount in excess of \$500 in expressly advocating the issue or candidate described above.

2. It is really that simple. Two paragraphs and evidence of advocacy and monet.

3. In fact, in the words of Mr. Barnas himself, in the letter accompanying his own complaint against Ms. Yeago, he states, correctly and accurately, "the law is clear" and applies in large and small communities. Mr. Barnas' Complaint at R-000003.

4. Consequently, in complying with this very clear and simple law that even a non-lawyer can understand, a complainant would need to do no more than demonstrate exactly where and how Organization A had expressly advocated for or against an issue or a candidate and then presents some evidence that that express advocacy was furthered by an aggregate expenditure in excess of \$500. It is not difficult. Indeed, Mr. Barnas, the complainant himself, through his own independent research, pointed the Commission to a simple consent order of this Commission in Case Number FEC 04-379, Final Order No 06-129, in which the subject organization admitted that it had run an advertisement which contained the simple, clear, unambiguous statement "Vote for Amendment Five" without complying with the law. It is really easy.

5. That is simply all that a valid complainant here would have had to have done; allege that Sharon Yeago and the Concerned Citizens for a Better High Springs had expressly advocated a position for or against the ordinance or the election and stated that -- somewhere -- in some document, in some publication, or in some advertisement:

Vote for [or against] the charter amendment or vote for [or against] Byran Williams.

6. If this Commission is looking for a short, succinct, and clearly understandable requirement for anyone who is considering filing such an accusation of an election code violation, this Commission need look no further than Mr. Barnas' own complaint, in paragraph 3, where he states:

It is clear that a PC is only 2 or more people, spending \$500 or more, and in support or against a candidate or issue.

Mr. Barnas' Complaint at R-000003.

7. With the possible minute adjustments that the amount spent would have to exceed (and not merely equal) \$500 and that the "support" would have to be "expressly advocating" a position, Mr. Barnas through his careful research knew exactly what he had to allege. Unfortunately for Mr. Barnas, he also as surely knew exactly what he had to prove when he filed this complaint against Sharon Yeago. A careful review of the factual allegations in his complaint (which have been found legally insufficient) demonstrates that each and every factual allegation concerning alleged violations of law were patently false, known by him to be false, disproven by the very documents he chose to attach to the complaint and otherwise filed with the willfulness and recklessness necessary to warrant the imposition of the attorneys' fee penalty or sanction called for by Rule 2B-1.0045 and Florida Statute §106.265(6).

III. The specific allegations contained in Mr. Barnas' complaint.

1. Despite its length, the narrative contained in Mr. Barnas' complaint form and in his four page letter actually raise only two or three factual points, each of which is false, known by him to be false, and provably so by the very documents he chose to attach.

2. The following are the factual allegations Mr. Barnas chose to make, in the order that they were made. They will be discussed subsequently in groups so that all repetitive allegations making the same charge can be discussed in one place.

A. Ms. Yeago formed an organization "most specifically to oppose a ballot referendum issue to limit debt." (Complaint form at 1, R-000001).

B. "Two or more people, making expenditures and opposing a ballot issue." (Complaint form at 2, R.000002).

C. "This complaint is a complaint against a group/committee that was organized to oppose a specific issue." (Narrative Letter at page 1, R-000003)

D. "This complaint is that a group of many individual (sic) forming an organization/PC to defeat the ballot issue" (Narrative Letter at page 1, R-000003).

E. "This complaint is that a group of many individual (sic) forming an organization/PC, to... also support and support (sic) the election of Bryan Williams and Scott Jameson." (Narrative Letter at page 1, R-000003).

F. "Again, this group had more than two people, and may have taken contributions, but certainly made expenditures on advertising, signs, written material and events advocating reform at the City And again, for the defeat of a ballot issue of the City of High Springs." (Narrative Letter at page 2, R-000004)(Emphasis in the original)

G. "A group of more than two people who spent more than \$500 on the High Springs City Election and the defeat of a ballot issue to limit debt of the City " (Narrative Letter at page 2, R-000004).

H. "These meetings discussed the future of High Springs, the ballot issue and support for Byran Williams (Narrative Letter at page 3, R-000005).

I. "At the Candidate Forum at the High Springs Women's Club they distributed more fliers (Exhibit 5) **that set in stone their political stance on the debt issue on the ballot.** They support DEFEATING the charter amendment issue (Narrative Letter at page 3, R000005)(Emphasis in original)

J. "I have also attached a copy from the Facebook site where Gene Levine (one of the members) makes a post in support of Byran Williams and refers to "we" (the group) and the Facebook page allows it to go out to all friends and the public for the record " (Narrative Letter at page 3, R-000005)

K "[M]any named members. . held his [Byran Williams] signs next to the two 4ft X 4ft "Vote NO" posters opposing (with CCFBH disclaimers) the ballot referendum. . ." (Narrative Letter at page 4, R-000006).

L Ms. Yeago [with Linda Jones] "through their '**steering**' had knowledge of **spent funds opposing an issue on the ballot and supporting candidates** " (Narrative Letter at page 4, R 000006)(Emphasis in original).

3. The materials submitted with Mr Barnas' complaint by themselves, as well as the materials submitted in conjunction with Ms. Yeago's response, demonstrate conclusively, factually, and without uncertainty or any issue of debatable opinion, that Mr. Barnas' statements above are, each and every one, patently false, contradicted by his own materials, and submitted

to this Commission for what can only be viewed as a malicious and reckless complaint in an attempt to further an agenda of his own and hurt the individual who is the target of this unprincipled attack.

4. Mr. Barnas' charges set forth above are grouped together below to demonstrate, serially, the falseness of each and every charge, a falseness fully known by Mr. Barnas at each stage of this proceeding. He had to know they were false: he personally collected the many pages of exhibits which conclusively establish that Ms. Yeago and the Concerned Citizens group never, at any time, expressly advocated any issue on the November 2012 ballot nor any candidate for election on that ballot. Surely Mr. Barnas read each and every page **before he swore under oath that Ms. Yeago had violated the law.** Common decency, if not compliance with the law, would have required that.

5. Although it will make this motion more bulky, to ensure that each and every Staff Member and Commissioner who reviews this motion will have a self-contained package of all relevant materials, Ms. Yeago has attached to this Petition a copy of the original Complaint by Mr. Barnas (Exhibit A); Ms. Yeago's Response to that Complaint (Exhibit B); the letter from the Commission finding that the Complaint was legally insufficient (Exhibit C); the Commission's letter closing the file upon Mr. Barnas' failure to submit any supplementary materials (Exhibit D); and an Affidavit of Ms. Yeago In Support of this Petition (attached hereto as Exhibit E) which will be discussed hereafter. Additional materials will be attached to this Petition and discussed later in this Petition

IV. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs was formed to oppose the Charter Amendment referendum on the November 2012 Ballot and expressly advocated against it are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations A, C, D above].

1. It is difficult to add much to the record that is fully before this Commission on this topic. Mr. Barnas, for reasons of his own, wishes to think or imagine that the Concerned Citizens organization was created to oppose his pet Charter Amendment. In fact, however, as was conclusively demonstrated by Mr. Barnas' own materials (as well as by those submitted by Ms. Yeago in support of her Response), the original mission statement, guiding principles, and policy recommendations issued by this good government organization prove and establish that the ordinance was not even one of the topics mentioned in their founding principles and recommendations, and was categorically not the reason for the formation of this group, nor did it become so later.

2. Mr. Barnas did invest a great deal of personal time and energy in trying to ram this Charter Amendment through the City Commission, but that effort was summarily rejected by the Eighth Circuit Court in and for Alachua County when the ordinance was declared null and void [because of improprieties in how the Commission majority had rushed it through] in a separate action that was not brought by or supported by the Concerned Citizens group. He may still be smarting from that direct and extraordinary judicial rebuke, but it is not cause to lash out at a patently "good government" group in his own community.

3. Where an individual makes a simple factual statement that is not the subject of conjecture, speculation or opinion, and simultaneously submits information that directly and with particularity disproves the very factual statement just made by that person, then the falseness of the statement and reckless disregard of the person making the statement are clear. Mr. Barnas acted with willful malice and reckless disregard when he made patently false statements

repeatedly to this Commission that the Concerned Citizens organization was formed to oppose the Charter Amendment election. Nothing could be further from the truth

V. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, and Ms. Yeago personally, expressly advocated against the passage of the Charter Amendment referendum on the November 2012 ballot Are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations B, F, G, H, I, J, K and L above].

1 Whatever the reasons were for the formation of the Citizens Group (and the documents conclusively establish that it was to restore badly needed good government to the City of High Springs and not to oppose the Ordinance), the group could, conceivably, have changed course and expressly advocated for or against that ordinance... had they wished to do so and had they wished to become a political committee under Florida Statutes. But again, the factual record submitted by Mr. Barnas, as well as supplemental materials submitted by the Respondent Ms. Yeago, categorically prove that that never happened. There was never any statement made by Ms. Yeago or the Concerned Citizens group that expressly advocated that the ordinance should be voted down. Not...a...single...statement

2. The first detailed press release from the Concerned Citizens group, along with its mission statement and four guiding principles, may be helpful to this Commission. [See attached Exhibit F] These documents are fully, 100% consistent with all the documents that have previously been presented to this Commission in showing what the Concerned Citizens group was involved with, and more particularly what it was not involved with. These documents published in late September and the first part of October 2012 again conclusively establish and add to the already uncontradicted record that demonstrate that Mr. Barnas was well aware that this organization did not enter the political fray on any issue that was on the ballot in November

2012. This organization was clearly not formed to advocate one way or the other on any such issue, and more importantly never did so.

3 It is undoubtedly true that the Concerned Citizens group in its several publications of policies and principles advocated for a number of other civic issues involving return to sound professional management [from the year during which the Commission was largely headed by Mr. Barnas as Vice-Mayor], a return to civility and fairness from the slash and burn attack philosophy of Mr. Barnas such as is consistent with this very Complaint against Ms. Yeago, and a meaningful return to fiscal and budgetary responsibility so that the limited dollars of a municipality in 2012 and 2013 could be spent on valuable and meaningful municipal projects, as they had in the past. Each of these was an important civic goal, addressed issues of governmental importance, and not a single one of these issues and statements expressly advocated for or against the ordinance in any way. None of the issues that the Concerned Citizens group discussed and advocated were ever presented to the citizens of High Springs for their vote one way or the other. The materials submitted before this Commission by Mr. Barnas prove that his allegations to the contrary are simply false, reckless and willfully malicious

VI. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, and Ms. Yeago personally, expressly advocated the election of Byran Williams on the November 2012 ballot are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations E, H, J, and L above].

1. Mr. Barnas accuses the Concerned Citizens group of expressly advocating for the election of Byron Williams in the November 2012 City Commission election for the City of High Springs.

2. Again, it is difficult to add further understanding to the nature of this brash allegation other than to say that, like the others, it is totally and patently false, reckless, willfully

malicious and categorically contrary to the materials that Mr. Barnas has submitted to this Commission.

3. The Concerned Citizens group in general, and Ms. Yeago in particular, at no time ever took any position for or against Mr. Williams in his election bid, for or against Mr. Williams' opponent in that election, or for or against anyone else running for civic office in the City of High Springs.

4. Mr. Barnas has failed to produce (because there is none) a single piece of documentary evidence that suggests that the group in any way, or Ms. Yeago individually, expressly advocated for the election of Mr. Williams or against the election of his opponent. It simply did not happen. The only reference that Mr. Barnas even tangentially made was that some individuals (unidentified), who were also supporters of the Concerned Citizens group, may have themselves held signs for Mr. Williams. Perhaps so. Those individuals were probably also Presbyterians, Catholics, Methodists, Republicans, Kiwanians, Italian-Americans, AARP members and Harley Davidson owners, but none of those groups "expressly advocated" for Mr. Williams' election simply because one of their members happened to hold a sign in his support.

5. Mr. Barnas is not an unskilled or untutored individual in the political rough and tumble world. The allegations of express advocacy for Mr. Williams' campaign were false, malicious and reckless, and were known by him to be false because he personally selected the tens of pages of materials that prove their falsity. Neither Ms. Yeago nor the Concerned Citizens group that Mr. Barnas sought to pillory through her ever expressly advocated anyone's election, or defeat, in the November 2012 election. Period. The record is clear and uncontradicted. And Mr. Barnas knew it.

VII. Mr. Barnas' unsubstantiated assertions that the Concerned Citizens for a Better High Springs, or Ms. Yeago personally, expended in excess of \$500 expressly advocating ANYTHING in the November 2012 election are categorically false, known by him to be so, and malicious and reckless in their nature. [Allegations B, F, G, and K above].

1. Mr. Barnas' allegations concerning the Concerned Citizens group's expenditure of more than \$500 in express advocacy fail to link any spending of any money to any express advocacy of any issue or any candidate on the ballot in the City of High Springs in November 2012. Reason? There was none and Mr. Barnas' own materials prove that.

2. It is 100% true and accurate that the Concerned Citizens group did collect some money from its members to purchase an advertisement in the local newspaper which was published prior to the election of November 2012. That advertisement has been clearly reproduced in the materials submitted before this Commission and, contrary to the expressly false allegations of Mr. Barnas, the advertisement does not advocate for or against any issue or advocate for or against any candidate. Period. No gray area. Indeed, the advertisement does not even mention the Charter Amendment issue, nor does it mention any candidate for any office on the November 2012 ballot. As Mr. Barnas expressly knows by virtue of his careful quotation of the statute in his recitation of the law in his complaint, in order to be a political committee or an electioneering organization, the group has to spend in excess of the defined amount of money in the express advocacy of an issue on the ballot or a candidate.

3. A Women's Club can advocate healthy eating habits; a Lion's Club can advocate good vision care; AARP can advocate sound planning for retirement; and each group can spend money in furthering those causes. But unless those causes are on a ballot and constitute expressly advocating issues that are placed before the electorate, that conduct does not fall within the defined areas of campaigning or electioneering which can bring organizations within the

ambit of Florida Statute Chapter 106. Interestingly, as set forth in detail in Ms. Yeago's Response to the Complaint, the only time the Concerned Citizens group even mentioned the ordinance was to factually describe some of the effects it would have and then to urge the citizens of High Springs to look into the matter themselves before voting on it, whichever way they chose to vote on the ordinance.

4. Similarly, the fact that an individual who identified himself as a member of the Concerned Citizens group posted on the Concerned Citizens Facebook page that he was supporting an individual (expressly advocating his election) does not convert that individual statement into the express advocacy of the website page. The argument is legally insufficient as explained in the Response of Ms. Yeago and, as noted by the Commission in the rejection of Mr. Barnas' Complaint, does not constitute the expenditure of dollar one in favor of anything by the Concerned Citizens group or Ms. Yeago.

5. Perhaps the most telling indictment of the complainant Mr. Barnas and the patently false allegations that he has attempted to foist upon this Commission comes in his baseless suggestion that Ms. Yeago or the Concerned Citizens group spent money on signs to oppose the ordinance directly. Mr. Barnas goes so far in embroidering this false claim that he states on page 4 of the Narrative Letter attached to his complaint that the signs even had the appropriate disclaimer by the Concerned Citizens for a Better High Springs group. There was no support for this bald allegation, but that has never deterred Mr. Barnas.

6. As has now been directly shown to this Commission in the Response of Ms. Yeago to the original Complaint, the signs to which Mr. Barnas was referring had nothing to do with the Concerned Citizens group, were not prepared by them, paid for by them, stimulated by them, or created by them. Rather, two individuals, from their own pockets, spent money for the

signs and **still have them in their possession** Photographs of the actual signs are attached to Ms. Yeago's response and, along with the affidavit of the signs' creator, demonstrate that the Concerned Citizens group did not create or sponsor or pay for them. The truth behind these signs did not deter Mr. Barnas from concocting a false story about there being disclaimers [which there weren't] and the like, in the failed attempt to fool this Commission into thinking that the signs were the product of the Concerned Citizens group

7. What is particularly galling, and should be equally galling and startling to this Commission, is that Mr. Barnas was the only individual in the pre-election period who actually DID attempt to fraudulently capitalize on the very good name of the Concerned Citizens group **by himself creating signs actively endorsing the passage of the ordinance**. There of course is nothing wrong with a private citizen -- or the Vice Mayor -- creating signs to expressly advocate that one citizen's views. That's the American way of campaigning. **But**, the signs that Mr. Barnas prepared are reflected in the photographic attachments to Ms. Yeago's Response, and contained a legend at the bottom of his signs that that was calculated to confuse the public into thinking that the signs were by the Concerned Citizens group, which had garnered tremendous good will and respect in the six weeks since it had been formed. Mr. Barnas was actively hoping to coattail in on and usurp the Concerned Citizens' good name and the fact that they consistently stayed above the fray. Mr. Barnas placed on the bottom of his signs -- urging the Charter Amendment's passage -- that the signs were by "**Citizen Concerned for a Better High Springs**." The subtle play on words was a deliberate and successful way to suggest that the Concerned Citizens group favored his ordinance, while all the time he knew that that group had remained scrupulously neutral. His deceptiveness there and before this Commission, in attempting to mislead the Commission as to the actual actions of Ms. Yeago and the Concerned

Citizens group demonstrate the willful maliciousness and reckless disregard for the truth that warrant an order compelling him to pay the attorneys fees incurred in this defense.

VIII. Mr. Barnas is no novice in the art of filing complaints against individuals in the City of High Springs with whom he disagrees.

1. In considering the motivation for why in the world Mr. Barnas would possibly file a complaint before this Commission that was so patently false and known by him to be patently false, it might be logical for this Commission to ask whether perhaps Mr. Barnas was unfamiliar with the procedures of filing complaints with State Commissions in the State of Florida and was an unfamiliar and unschooled novice with the rules and procedures under which such complaints are measured and tested. Should anyone on this Commission have that concern about Mr. Barnas possible naivety, I think it is a belief which can be responded to and dispelled quite easily.¹

2. First of all, reference to Mr. Barnas' complaint form and his 4-page narrative letter attached thereto demonstrates that Mr. Barnas, although not a lawyer, demonstrates great facility with finding law, regulations and procedures which, he frequently thinks, justify him in filing complaints against various individuals. In this case, he not only correctly identified many of the statutes that are highly relevant to this Commission's determination that his Complaint was legally insufficient, but he also was sufficiently adept at utilizing this Commission's website to identify previous decisions where, unlike in the case here, a group actually did expressly advocate for a candidate or an issue in an election, but did so without properly complying with Florida Statute §106.03 and the sections related thereto. He's no uneducated farm-boy

¹ Should anyone on the Commission or its staff be concerned about the "equities" of assessing fees against Mr. Barnas for his legally insufficient and probably false -- complaint against Ms. Yeago, Mr. Barnas' website posting for June 12, 2012 (the very same day this Commission's letter finding his complaint to be totally wanting would have arrived) should be reviewed. See Exhibit H hereto). In that post Mr. Barnas denied a plaintiff and his attorney rejecting a settlement offer, and focused on the law applicable to that case that allowed attorneys' fees for a frivolous complaint. Here that statute is Florida Statute §106.265(6).

3. Beyond the familiarity with the procedures demonstrated by Mr. Barnas in the filing of this Complaint against Ms. Yeago, this Commission (or the Division of Administrative Hearings) may wish to review Mr. Barnas' prior history of filing similar complaints against individuals in the High Springs area with whom he has had disagreements or taken issue, in the few months before he was elected to the High Springs City Commission and his first year on that body.

4. Although the records of these various commissions are not always easily searchable and although there may easily be more such complaints that have been filed, the undersigned counsel was able to unearth four (4) prior complaints Mr. Barnas has served against people with whom he had an ax to grind in the High Springs Area. These individuals included James Drumm (the former City Manager that Mr. Barnas drove from office while he was part of a majority of the Commission in his first year), Thomas DePeter (who was the City Attorney for part of the year when Mr. Barnas and his majority had their one-year of majority control on the City Commission of the City of High Springs), Linda Rice Chapman (a private attorney who successfully sued the City of High Springs challenging the charter ordinance in question here and establishing that it was void *ab initio*), and Bryan Boukari (the editor of the local newspaper, who safe to say, has not been charitable towards Commissioner Barnas and his heavy-handed approach to City government in High Springs). The undersigned can and will present copies of all of the publicly available documents with respect to these matters, but suffice it to say the circumstances are as follows:

a. On July 25, 2011, Mr. Barnas filed a complaint with the State of Florida Commission on Ethics, Complaint 11-098, against Jim Drumm, the then-City Manager of the City of High Springs, with respect to his management of a sewer improvement project in the City

of High Springs that Mr. Barnas was unhappy with. On September 14, 2011, the State of Florida Commission on Ethics dismissed that complaint for failure to constitute a legally sufficient complaint.

b. On June 28, 2011, Mr. Barnas filed Complaint No. 11-085 with the State of Florida Commission on Ethics against Thomas G. DePeter, who was the City Attorney of the City of High Springs when Mr. Barnas was elected, challenging the manner in which Mr. DePeter had left the position of Mayor and assumed the position of City Attorney. On August 3, 2011, the State of Florida Commission on Ethics dismissed Complaint 11-085 for failure to constitute a legally sufficient complaint.

c. On October 29, 2012, Mr. Barnas filed with the State of Florida Commission on Ethics Complaint 12-209 against Bryan Boukari with respect to Mr. Boukari's membership on the City of Alachua's Downtown Redevelopment Trust Board. While it might seem strange to this Commission that a City Commissioner in the City of High Springs would concern himself with a claim of an ethics violation with respect to a redevelopment board in another city, this Commission should be aware of the fact that Bryan Boukari, in addition to his position on that Board, was the publisher of the local newspaper who closely watched and reported on the actions of Mr. Barnas as the Vice Mayor of the City of High Springs and, safe to say, was relatively uncharitable in its assessment of Mr. Barnas' performance.² The response of Mr. Barnas was the ethics complaint referred to above. On December 5, 2012, the State of

² Mr. Barnas publishes frequent comments, and invectives, on his "personal" website. Many of these comments shed insight into the unfortunate motives of this "public servant", and many will be presented at the probable cause hearing and the final assessment hearing. An example of his antipathy or worse toward Mr. Boukari (of Alachua County Today), as well as all journalists who cover High Springs, can be found in his recent post from June 8, 2013, a copy of which is attached hereto as Exhibit G.

Florida Commission on Ethics dismissed Complaint 12-209 for failure to constitute a legally sufficient complaint.

d. In addition to these ethics complaints, Mr. Barnas also has seen fit to file a Florida Bar Complaint against Linda Rice Chapman, an attorney in the High Springs area, who successfully challenged the City's passage of the ordinance in question as being illegally adopted and void *ab initio*, and who also represents a former City employee who claims that he was wrongfully terminated by the City, largely or at least partly through the actions of the Vice Mayor at that time, Mr. Barnas. Although the paperwork with respect to that complaint was widely bandied about and discussed by Mr. Barnas on his website, his complaint against Ms. Chapman is not presently available, but was also dismissed by the Florida Bar and the above Ethics Commission complaints have been.

5. The foregoing four complaints, as well as the instant complaint against Ms. Yeago, are indicative of Mr. Barnas' approach to government. While a citizen in the United States clearly has the right to petition his government for grievances, and **Mr. Barnas had every right to file each and every one of the complaints that he chose to file**, when they are declared legally insufficient as was the complaint against Ms. Yeago, however, the individual who has properly exercised his constitutional rights to petition his government for redress also has to pay the piper. And that time has come.

6. It should be noted, in "fairness" to Mr. Barnas, that he has filed apparently one successful complaint with a Florida commission and that was to this Florida Elections Commission against the prior Mayor of the City of High Springs with respect to a technical violation on receiving cash contributions. Although it may well be that that individual, Larry Travis, had already self-reported the violation to the Elections Commission, it should be noted

that Mr. Barnas' complaint against Larry Travis, Case No. 12-124, did result in a Consent Order agreed to by Mr. Travis. It is also interesting to note, however, that, like a claimed violation of a group for failing to register as a political committee, it is a simple task and easily satisfied to allege and prove that a "too-large" cash contribution has occurred, if it is true.

7. The complaint against Mr. Travis was a very small number of pages [total: 5] that simply proved that he had reported an illegal contribution, to which Mr. Travis agreed. Had Mr. Barnas had any evidence, whatsoever, that Ms. Yeago and the Concerned Citizens Group had violated Florida's election code by expressly advocating for or against an issue or for or against a candidate, that could have been easily submitted to this Commission in a 3 or 4 page complaint. The attachment of pages up to and including 33 pages in the Complaint against Ms. Yeago demonstrates that Mr. Barnas was attempting to cause the Commission to conclude that there must be something to this Complaint if he had spent the time of collecting all of those pages and sending them on to the Commission. Nothing could be further from the truth.

IX. Legal standard for the imposition of attorneys' fees under Florida law

8. As reflected in the affidavit of Ms. Yeago filed herewith in support of this Petition (See Exhibit "E" hereto), Ms. Yeago correctly notes that she has never sought any relief from Mr. Barnas nor filed any complaints against him, before he filed this complaint. But, when he filed the blatantly false complaint against her, she feels that the law and this Commission's rules anticipate a claim for attorneys' fees in a proper case.

9. She has instituted no other action against him, such as for a possible violation of §106.265 for a civil penalty, for sanctions under §104.41, or for the patent violation of the sworn oath he made in filing the complaint in this matter against Ms. Yeago. See black box legend at

the bottom of Florida Elections Commission Complaint form relating to Florida Statutes §§ 775.082 and 775.083. Any violations to these statutes will be left to the enforcing authorities

10. This Commission is certainly familiar with its powers and authority given to it by Florida law with respect to the imposition of sanctions, attorneys' fees, costs, or other penalties with respect to individuals who violate Florida law and/or file false complaints, such as Mr. Barnas has done. Florida Statute §106.265(6) provides in pertinent part:

(6) In any case in which the Commission determines that a person has filed a complaint against another person with a malicious intent to injure the reputation of the person complained against by filing the complaint with knowledge that the complaint contains one or more false allegations or with a reckless disregard for whether the complaint contains false allegations of fact material to a violation of this chapter or Chapter 104, the complainant shall be liable for costs and reasonable attorney's fees incurred in the defense of the person complained against, including the costs and reasonable attorney's fees incurred in proving entitlement to and the amount of costs and fees.

There can be no question about Mr. Barnas' willfulness, intent, maliciousness, and reckless disregard with respect to the Complaint he has filed before this Commission.

11. Although Mr. Barnas made bold, clearly-stated factual statements which, if true, might have raised a question concerning whether an organization was a political committee, the materials submitted by Mr. Barnas failed to present even the slightest question of fact about the truthfulness of his allegations and indeed, disproved each and every one of the critical factual allegations set forth above.

12. Mr. Barnas' Complaint before this Commission is totally and completely false, misleading, and demonstrates a willfulness and a reckless disregard for this Commission's intelligence and the reputation of the Respondent, Ms. Sharon Yeago. This Commission should exercise its authority at the hearing on this Petition by finding that this Petition is sufficient to order a final hearing against Mr. Barnas, which will lead to a determination that he is liable for

Ms. Yeago's substantial fees incurred in the preparation of the Response to the Complaint and in the preparation of this Motion and any hearing(s) necessarily held pursuant thereto.

13. This Commission has duly taken the provisions of Florida Statute §106.265(6) and provided in Rule 2(B)-1.0045(1) as follows:

"(1) If the Commission determines that a complainant has filed a complaint against a respondent with a malicious intent to injure the reputation of such respondent by filing the complaint with knowledge that the complaint contains one or more false allegations or with reckless disregard for whether the complaint contains false allegations of fact material to a violation of Chapter 104 or 106, the complainant shall be liable for costs and reasonable attorneys' fees incurred in the defense of the complaint, including the costs and reasonable attorneys' fees incurred in proving the entitlement to and the amount of costs and fees."

The Petition must be filed within 30 days from the dismissal of the Complaint and is required to state with particularity the facts and grounds that prove entitlement to costs and attorneys' fees. The foregoing Motion sets forth with great particularity precisely how Mr. Barnas' Complaint, in each and every material way, is false and has wrongly accused Ms. Yeago and the Concerned Citizens of violating Florida law when in fact the record conclusively establishes that his allegations were not true and Mr. Barnas knew them to be false at the time he filed this Complaint.

14. While the precise motivation for Mr. Barnas' malice and the cause for his reckless disregard may never be known to a certainty, the Respondent is only required to prove by clear and convincing evidence that she is entitled to the award of costs and attorneys' fees. As detailed elsewhere in the materials before this Commission, Mr. Barnas spearheaded an eleventh hour effort to ram a charter amendment through the City Commission of the City of High Springs and get it on the ballot in November 2012. Although the Eighth Circuit Court in and for Alachua County later struck down his efforts as being void *ab initio*, Mr. Barnas has lashed out at a

number of individuals from High Springs, most related to that effort. He has filed an unsuccessful bar complaint against the same lawyer who successfully got the charter amendment stricken as void *ab initio*. He has (over the years) filed unsuccessful Ethics Commission complaints against the editor of the newspaper that has challenged his method of running the High Springs City Government, the previous City Manager whom Mr. Barnas drove out of office, and the former City Attorney who warned the City Commission that the actions they were taking in passing the charter amendment ordinance were in fact void and illegal.

15 Mr. Barnas has now broadened his attack to a pure "good government" group in the City of High Springs that carefully stayed away from issues on the November 2012 ballot. Without any evidence whatsoever to demonstrate a violation of any election laws by this group, or by Ms. Yeago, however, he was left to fabricate those allegations in the hope that neither the Commission nor Ms. Yeago would call him on it. Each of them have, and it is now for this Commission to determine whether an award of fees in favor of Ms. Yeago is appropriate.

16 Again, turning to Mr. Barnas' complaint itself may be the best place to conclude this petition. Quoting liberally from the first full paragraph at the top of Page 3 of Mr. Barnas' Narrative Letter accompanying his complaint (R 000005 of the Record), and changing it only slightly to correspond to the claim for fees here by Ms. Yeago, Mr. Barnas argued:

The FEC need [sic] to bring to bear its power and authority given to it by the State of Florida law [sic] and investigate, and take all appropriate measure [sic] under its power to determine the status of [Mr. Barnas' patently false complaint] and then administer the penalties, fines and rulings under its power, should they find this [complaint by Mr. Barnas to be as devoid of merit as they have already concluded in their June 10, 2013 Letter].

For all the many foregoing reasons contained in this petition, it is respectfully urged by Ms. Yeago that this Commission, pursuant to Rule 2B-1.0045 determine that the

Petition does contain sufficient facts and grounds to support the claim for costs and attorneys' fees and that the Commission further order a hearing involving any disputed issues of material fact to be held before the Commission, or Commissioner or Commissioners designated by the Commission, or by referring the Petition to the Division of Administrative Hearings for a formal hearing.

Respectfully submitted,

Paul R. Regensdorf, Esq.
Florida Bar No: 0152395
HOLLAND & KNIGHT LLP
50 N. Laura St., Ste 3900
Jacksonville, FL 32202
Phone: 904-353-2000
Fax: 904-358-1872
E-Mail: paul.regensdorf@hklaw.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via email
this 10th day of July, 2013, to:

Donna Ann Malphurs
Agency Clerk
Florida Elections Commission

107 W. Gaines Street
Suite 224 Collins Building
Tallahassee, FL 32399-1050
fec@myfloridalegal.com

/s/ Paul R. Regensdorf

#24114488_v1

EXHIBIT "A"



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Suite 224 Collins Building
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

April 3, 2013

CERTIFIED MAIL 70042510000147395596

Sharon L. Yeago
21120 NW 132nd Lane
High Springs, FL 32643

RE: Case No.: FEC 13-125, Respondent: Sharon L. Yeago

Dear Ms Yeago:

On April 3, 2013, the Florida Elections Commission received the enclosed complaint alleging that you violated Florida's election laws Section 106.25(2), Florida Statutes states:

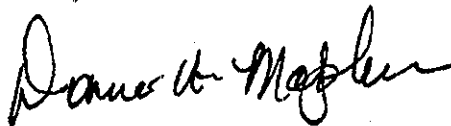
The respondent shall have 14 days after receipt of the complaint to file an initial response, and the executive director may not determine the legal sufficiency of the complaint during that time period

If you choose to file a response to the complaint, please send it to my attention at the address listed above. To ensure that I receive your response in a timely manner, you may also want to send it via e-mail to my attention, at fec@myfloridalegal.com. You will be notified by letter whether the complaint is determined legally sufficient. Please note that all correspondence from this office will be mailed to the same address as this letter. Therefore, if your address changes, you must notify us of your new address.

Under section 106.25, Florida Statutes, complaints, Commission investigations, investigative reports, and other documents relating to an alleged violation of Chapters 104 and 106, Florida Statutes, are confidential until the Commission finds probable cause or no probable cause. The confidentiality provision does not apply to the person filing the complaint. However, it does apply to you, the Respondent, unless you waive confidentiality in writing.

The confidentiality provision does not preclude you from seeking legal counsel. However, if you retain counsel, your attorney must file a notice of appearance with the Commission before any member of the Commission staff can discuss this case with him or her

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Ann Malphurs". The signature is written in a cursive style with a large initial "D".

Donna Ann Malphurs
Agency Clerk

Enclosure: Complaint w/attachments

DAM/ip

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

107 West Gaines Street, Suite 224, Tallahassee, Florida 32399-1050
Telephone Number (850) 922-4539
www.fec.state.fl.us

RECEIVED

CONFIDENTIAL COMPLAINT FORM

7/13/13 4:09 - 3 A 10:51
7/13/13 4:09 - 3 A 10:51
7/13/13 4:09 - 3 A 10:51

The Commission's records and proceedings in a case are confidential until the Commission rules on probable cause. A copy of the complaint will be provided to the person against whom the complaint is brought.

1. PERSON BRINGING COMPLAINT:

Name: Robert J Barnas Work Phone: (352) 538-7355
Address: 20147 NW 257th Terrace Home Phone: (386) 454-2702
City: High Springs County: Alachua State: FL Zip Code: 32643

2. PERSON AGAINST WHOM COMPLAINT IS BROUGHT:

A person can be an individual, political committee, committee of continuous existence, political party, electioneering communication organization, club, corporation, partnership, company, association, or any other type of organization. If both an individual and a committee or organization are involved, name both.

Name of individual: Sharon L. Yeago
Address: 21120 NW 132nd Lane Phone: (352) 256-8115
City: High Springs County: Alachua State: FL Zip Code: 32643

If individual is a candidate, list the office or position sought:

Name of committee or organization:
Address: Phone: ()
City: County: State: Zip Code:

Have you filed this complaint with the State Attorney's Office? (check one) Yes No

3. ALLEGED VIOLATION(S):

Please list the provisions of The Florida Election Code that you believe the person named above may have violated. The Commission has jurisdiction only to investigation the following provisions: Chapter 104, Chapter 106, Section 98.122, and Section 105.071, Florida Statutes. Also, please include:

- ✓ The facts and actions that you believe support the violations you allege,
- ✓ The names and telephone numbers of persons you believe may be witnesses to the facts,
- ✓ A copy or picture of the political advertisements you mention in your statement,
- ✓ A copy of the documents you mention in your statement, and
- ✓ Other evidence that supports your allegations.

Sharon L Yeago formed a organization with Linda Jones and several others to make political positions know and most specifically to oppose a ballot referendum issue to limit debt. This was on the ballot November 2012 in the city of High Springs, Florida. Details of the complaint and Florida Statutes is attached.

Two or more people, making expenditures and opposing a ballot issue. In addition, registered agent was not named. Registered treasurer was not named and reports were not filed. Again, detail information is attached.

Additional materials attached (check one)? Yes No

4. OATH

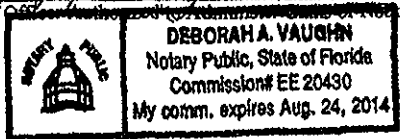
STATE OF FLORIDA
COUNTY OF Alachua

I swear or affirm, that the above information is true and correct to the best of my knowledge.

Original Signature of Person Bringing Complaint

Sworn to and subscribed before me this 1st day of April, 2013

Signature of Notary Public



(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally known Or Produced Identification

Type of Identification Produced _____

Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.082 and 775.083, Florida Statutes.

RECEIVED
2013 APR -3 A 10:54
STATE OF FLORIDA

April 1, 2013

Florida Election Commission
107 West Gaines Street
Suite 224
Tallahassee, Florida 32399-1050

Dear FEC,

High Springs is a small town compared to Tallahassee. The numbers of voters and dollars spent are at different ends of a chart. But money is money and politics is politics. So whether it is millions of dollars and hundreds of votes for a large town and a Political Committee (PC) or a small town where thousands of dollars and a few dozen vote is involved, the law is clear and has been written to deal with both equally. As an example I suggest you look at FEC case 06-129.

And if a PC's action affects Tallahassee or High Springs, the result of the vote of a yes or no is the same. The loss or win in an election, or an issue. Size of a voting population is not of importance. And with that, MUST be dealt with in a manner that is equal, whether a town is big or small.

Florida law has been written to deal with either case, big or small. It is clear that a PC is only 2 or more people, spending \$500 or more, and in support or against a candidate or issue. Not issues, not candidates combined, but only one issue would be sufficient. And in this case a ballot referendum.

This complaint is a complaint against a group/committee that was organized to oppose a specific issue, and in fact is still in existence and making statements in support of or against issues.

I will detail my allegations in following information. I am submitting this now because I just was able to document (in writing and not hearsay) a second person to satisfy the two person rule.

For the November 2012 election in High Springs Florida candidates registered to run, and an issue was place on the ballot to limit the debt of the city and placing a restriction on the ballot. The ballot was set by Alachua County Election office of Pam Carpenter and the municipal High Springs City Clerk (in charge of city ballot) Jenny Parham (see ballot and results Exhibit 1). And two candidates for one seat were Byran Williams and Pat Rush. The other seat was Scott Jamison and Ed Reiss.

This complaint is that a group of many individual formed an organization/PC, to defeat the ballot issue and also support and support the election of Byran Williams and Scott Jamison. They set up a "steering committee" (please note they do use the word committee) to write their goals and positions and called them "principles". I feel this organization used the term "steering committee", but was actually a PC that would conform to Florida Statute as defined in 106.011 (1)(a)(1)(c).

Makes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue".

Again, this group had more than 2 people, and may have taken contributions, but certainly made expenditures on advertising, signs, written material and events advocating reform at the city. And again, for the defeat of a ballot issue of the City of High Springs. The ballot issue was a referendum to limit city debt.

This organization used a disclosure that it was a "grassroots" organization and did not fall under Florida Statute 106. Florida Statute 106 makes no mention of exclusion of any "grassroots" group. The fact that they referred to FS 106.11 is proof they knew of this statute. Yet they knowingly and willfully avoided complying with it on all levels.

What FS 106 covers and FS 106.011 defines, is a "political committee". And most certainly it is my opinion in this complaint that this group/organization began a string of violations when it knowingly and willfully avoided becoming a PC that never properly registered as required under FS 106.03 (3) (c).

"A political committee which is organized to support or oppose only candidates for municipal office or issues to be voted on in a municipal election shall file a statement of organization with the officer before whom municipal candidates qualify".

They never appointed a treasurer as required by FS 106.021(1) (a).

"Each candidate for nomination or election to office and each political committee shall appoint a campaign treasurer".

Never appointed a registered agent required by FS 106.022(1).

"Each political committee, committee of continuous existence, or electioneering communications organization shall have and continuously maintain in this state a registered office and a registered agent and must file with the filing officer a statement of appointment for the registered office and registered agent".

Never filed timely reports of the organization and its financial expenditures as required by FS 106.07.

"Each campaign treasurer designated by a candidate or political committee pursuant to s. 106.021 shall file regular reports of all contributions received, and all expenditures made, by or on behalf of such candidate or political committee".

The following information will be a timeline of the birth or founding of Concerned Citizens for a Better High Springs (hereafter referred to as CCFBHS). A group of more than 2 people who spent more than \$500 on the High Springs City Election and the defeat of a ballot issue to limit debt of the city.

Again, it is my contention this organization fits Florida Statute 106 as a PC. They never registered properly or filed reports of financial disclosure. They ignored the law.

While there are more than 100 members, it would be difficult to single out individual officers. But there are two people who have made written statement (see Sharon Yeago attached email Exhibit 2, and Exhibit 2 a Facebook statement of Linda Jones) where they admit to being either the spokesperson or

steering committee person and hubs for information in and out of the organization. These two people I hold fully responsible for organizing and NOT filing as a PC, registering as an agent or treasurer of this PC. Then, not filing appropriate financial reports and disclosures as required by a Florida Statute of a PC. I have named Sharon Yeago in this complaint as the responsible party.

The FEC needs to look at the timeline and evidence. The FEC needs to see how this organization has tried to call itself a "grassroots" organization to simply avoid being a PC. The FEC need to bring to bear its power and authority given to it by the State of Florida law and investigate, and take all appropriate measure under its power to determine the status of this organization and then administer the penalties, fines and rulings under its power, should they find this organization is a PC and failed on all levels to register and file reports. To not do so would open the door for all other organizations to avoid Florida State requirements across Florida, whether big or small.

Here is a timeline and evidence I have gathered.

During early September 2012 an organization called CCFBHS and their Facebook page surfaced. A PC was born. It says on the Facebook page that it was founded September 28, 2012. I have attached (Exhibit 3) a copy of the Facebook founded page.

On October 1 and 8, newspaper stories came out that reported the organization, steering committee people and more. Sharon Yeago again is quoted (Exhibit 4).

They have a Facebook page "Concerned Citizens for a Better High Springs" that has an "About" page with a Mission Statement. The mission statement is a statement of political views and opinions that address issues facing High Springs. This site was established September 17, 2012, founded September 28, 2012 and ran almost weekly political statements right up till, the election on November 7, 2012.

This organization from early September began holding regular meetings at the building (Video City) owned by one of its members, Ed MacKinnon (George Edgar MacKinnon). This in effect was an in kind donation (one donation for every meeting) by Mr. MacKinnon that he has not disclosed and/or was not reported by CCFBHS.

These meetings discussed the future of High Springs, the ballot issue and support for Byran Williams.

At the Candidate Forum at the High Springs Women's Club they distributed more flyers (Exhibit 5) that set in stone their political stance on the debt issue on the ballot. They supported DEFEATING the charter amendment issue. I have also attached a copy from the Facebook site where Gene Levine (one of the members) makes a post in support of Byran Williams and refers to "we" (the group) and the Facebook page allows it to go out to all friends and the public for the record.

This organization gathered names of over 100 supporters and friends. This organization on October 31, 2012 places a full page ad in the Alachua Today newspaper (Exhibit 6). The cost of which is estimated over \$500. Either someone wrote a check to the paper, or the paper made an in kind donation. While I have said estimated at over \$500, it has been said to me that the cost is much closer to \$1000. This one ad alone will be the key to expenditures. Two names in this ad (at that time and now) are sitting High

Springs Commissioners Sue Weller and Scott Jamison and 1 candidate Byran Williams (at that time), and is now a sitting commissioner (who was elected and sworn in on November 17, 2012).

During the pre election period many named members held signs for Byran Williams and on Election Day had a tent with his signs and again held his signs next to the two 4ft X 4ft "Vote NO" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places. I do not have a picture of these posters, but witnesses will verify that they were there and that these members held candidate Byran Williams signs. The cost estimated of two large referendum posters is estimated at \$100.

I have included additional pages and pictures from the Facebook site. You will see political statements and pictures of organization/political banners. At an event at city hall this committee/organization displayed a large banner (see photos dated.....) naming their organization and, asking for people to "join us", they handed out flyers (at a cost) and made political statements on issues facing the City and the Commission of High Springs. The cost estimated of this banner is \$100.

Other expenditures by the CCFBHS included lunches for city employees on city property. Cost unknown.

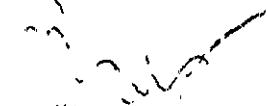
This organization certainly has spent well over \$500, with my estimate being more like \$1000-2000.

This organization after the election has virtually stopped activity, but is still in existence. It was their sole purpose to truly influence the election and ballot issue. But they still seem to be in around based on their Facebook.

This complaint is that Sharon Yeago with Linda Jones organized and created a steering committee for the CCFBHS as a Political Committee. And through their "steering" had knowledge of **spent funds opposing an issue on the ballot and supporting candidates**, in violation of Florida Statute as mentioned above. More specifically this complaint is that Sharon Yeago has violated:

- 1) FS 106.03 (1) by failing to register a PC with the Supervisor of Elections (Jenny Parham) for the City of High Springs (a Florida municipality).
- 2) FS 106.022 by never appointing a registered agent as required.
- 3) FS 106.021(1) (a) by never appointing a treasurer as required.
- 4) FS 106.19 (1)(d) making many financial expenditures.
- 5) FS 106.06 several times for not keeping records.

Respectfully submitted,


Bob Barnas
20147 NW 257th Terrace
High Springs, Florida 32643
352-538-7355 (cellphone)

**NO. 10
CONSTITUTIONAL AMENDMENT
ARTICLE VI, SECTION 3 - ARTICLE XX, SECTION 32**

Tangible Personal Property Tax Exemption

Proposing an amendment to the State Constitution to:

(1) Provide an exemption from ad valorem taxes levied by counties, municipalities, school districts, and other local governments on tangible personal property if the assessed value of an owner's tangible personal property is greater than \$25,000 but less than \$50,000. This new exemption, if approved by the voters, will take effect on January 1, 2013, and apply to the 2013 tax roll and subsequent tax rolls.

(2) Authorize a county or municipality for the purpose of its respective law, and as provided by general law, to provide tangible personal property tax exemptions by ordinance.

This is in addition to other statewide tangible personal property tax exemptions provided by the Constitution and this amendment.

YES

NO

**NO. 11
CONSTITUTIONAL AMENDMENT
ARTICLE VI, SECTION 6**

Additional Homestead Exemption; Low-Income Seniors Who Maintain Long-Term Residency on Property; Equal to Assessed Value

Proposing an amendment to the State Constitution to authorize the Legislature, by general law and subject to conditions set forth in the general law, to allow counties and municipalities to grant an additional homestead tax exemption equal to the assessed value of homestead property if the property has a just value less than \$250,000 to an owner who has maintained permanent residency on the property for not less than 25 years, who has attained age 65, and who has a low household income as defined by general law.

YES

NO

**NO. 12
CONSTITUTIONAL AMENDMENT
ARTICLE IX, SECTION 7**

Appointment of Student Body President to Board of Governors of the State University System

Proposing an amendment to the State Constitution to replace the president of the Florida Student Association with the chair of the council of state university student body presidents as the student member of the Board of Governors of the State University System and to require that the Board of Governors organize such council of state university student body presidents.

YES

NO

**If you live in the City of Archer,
↓ these races will appear on your ballot. ↓**

**ARCHER CITY COMMISSION
SEAT 1
(Vote for One)**

Laurie Costello

Doug Jones

**ARCHER CITY COMMISSION
SEAT 2
(Vote for One)**

James Mayberry

Marjorie Zander

000007

**ALACHUA COUNTY QUESTION 1
FIX OUR ROADS ALACHUA COUNTY:
FUNDING ROAD IMPROVEMENTS BY LEVYING A .2% SALES SURTAX**

Shall Alachua County implement a Road Improvement Plan to extend the life and improve the safety of county Roads by maintaining, paving and reconstructing Roads; and in the Cities of Gainesville, Alachua, Newberry, High Springs, Hawthorne, Waldo and Archer, and the Towns of Micanopy and LaCrosse, funding municipal Road maintenance, construction, reconstruction and paving projects, by levying a .2% sales surtax for 15 years subject to independent audit and citizen review.

FOR the three-quarters percent (3/4%) transportation sales surtax.

AGAINST the three-quarters percent (3/4%) transportation sales surtax.

**ALACHUA COUNTY QUESTION 2
RENEWAL OF THE EXISTING ONE MILL AD VALOREM TAX FOR
SCHOOL DISTRICT OPERATING EXPENSES**

Shall the Alachua County School District's existing one mill ad valorem tax be renewed, beginning July 1, 2013, and ending four years later on June 30, 2017, for necessary operating expenses to fund school nurses, elementary music and art programs, K-12 school library programs, K-12 guidance programs, middle and high school bands and chorus programs, academic/career technical magnet programs and to update classroom technology, with oversight by an independent citizens' committee?

YES

NO

**If you live in the City of High Springs,
↓ these races will appear on your ballot. ↓**

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Bryan Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

A candidate has withdrawn from this race. Therefore, a vote cast in this race will not change the outcome as the remaining candidate is deemed by law to be elected for the race.

Scott Jamison

Edward "Ed" Fless

**PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER
NUMBER 1**

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

**If you live in the part of Precinct 40 that is not within
↓ the City of Gainesville, this race will appear on your ballot. ↓**

ANNEXATION

(Vote for One)

FOR annexation of property described in Ordinance Number 120172 of the City of Gainesville

AGAINST annexation of property described in Ordinance Number 120172 of the City of Gainesville

**OFFICIAL RESULTS
GENERAL ELECTION, ALACHUA COUNTY
NOVEMBER 6, 2012**

Date:11/16/12
Time:16:55:28
Page:4 of 4

****INCLUDES ALL LEGALLY CAST BALLOTS****

Registered Voters 164970 - Cards Cast 242059 146.73%

Num. Report Precinct 63 - Num. Reporting 63 100.00%

Archer 2		Total
Number of Precincts		1
Precincts Reporting		1 100.0 %
Times Counted	515/696	74.0 %
Total Votes		457
James Mayberry	218	47.70%
Marjorie Zander	239	52.30%

High Springs 4		Total
Number of Precincts		2
Precincts Reporting		2 100.0 %
Times Counted	2911/3710	78.5 %
Total Votes		2634
Pat Rush	1179	44.76%
Byran Williams	1455	55.24%

High Springs Charter		Total
Number of Precincts		2
Precincts Reporting		2 100.0 %
Times Counted	2911/3710	78.5 %
Total Votes		2686
YES	1801	67.05%
NO	885	32.95%

Annexation		Total
Number of Precincts		1
Precincts Reporting		1 100.0 %
Times Counted	680/798	85.2 %
Total Votes		665
FOR	62	9.32%
AGAINST	603	90.68%



Bob Barnas <bbarnas@highsprings.us>

Re: Concerned Citizens for a Better High Springs

1 message

Sharon Yeago <sharon@yeago.net>

Fri, Dec 7, 2012 at 12:25 PM

To: Bob Barnas <bbarnas@highsprings.us>

Cc: John Manley <jmanley3@yahoo.com>, Bob Jones <ticonderoga47@hotmail.com>, Linda Jones <sunsetwishes@hotmail.com>

Bob, if you are interested in publicly supporting our values, you should follow the instructions outlined in every publication, press release or article that has been written or distributed to date. These are readily available on Facebook, Alachua Today and the Observer.

Please let me know if you need another copy of these materials. We can share with your our Guiding Principles, Recommendations etc.

As you also know by reviewing our supporters list previously submitted we already have three commissioners who support our values. Therefore, attendance at our meetings could become problematic and I would recommend legal advice on that issue.

I am traveling and have not had access to my computer (I'm using a guest services computer right now during my lunch break at a conference in Jax) which is why the delay in my response to you.

I look forward to your response. I return to High Springs this evening and can forward you any materials you require at that time.

Take care Sharon

On Thu, Dec 6, 2012 at 1:04 PM, Bob Barnas <bbarnas@highsprings.us> wrote:

- > Sharon,
- >
- > So how does someone, say someone like me become a member? Is there an
- > application?
- >
- > Can I get a list of current members after I become a member?
- >
- > I understand other commissioners are members and for the good of the
- > community we should have unity.
- >
- > Bob Barnas
- > High Springs City Commissioner
- >
- >
- >

> On Wed, Dec 5, 2012 at 8:02 PM, Sharon Yeago <sharon@yeago.net> wrote:

- >>
- >> Dear Bob, Lee and Scott,
- >>
- >> I am the official spokesperson for the Concerned Citizens group. I

>> have handled all publicity and development of public policy
>> statements.
>>
>> As you may also know, we are a group of concerned citizens. We are
>> not incorporated, have no fictitious name registration and therefore
>> do not have a bank account. We do have a Steering Committee (copied
>> here.) A list of our public supporters is attached for your record
>> and to clarify 'who are these people?' This was published in Alachua
>> Today. Please feel free to distribute to anyone requiring clarity.
>> While there are many names of prominent citizens, most of those listed
>> are regular folks who just live and/or work in High Springs.
>>
>> For clarification, we have absolutely no affiliation with any other
>> organization, including the HS CDC and I would appreciate it if you
>> would keep that in mind during future public statements about our
>> group. Most of the supporters of CCFBHS are actively engaged in their
>> community, whether at church, their childrens' school, the community
>> theater, or other groups and so it would stand to reason that they
>> would be affiliated with one organization or another. We include
>> Republicans, Democrats, liberals, moderates and one supporter who
>> describes herself as 'right of the Tea Party.' Our supporters
>> comprise all aspects of community life in High Springs.
>>
>> If you require a mailing address, please feel free to use either my
>> personal residence at 21120 NW 132 Lane, High Springs, FL 32643, or PO
>> Box 2114, High Springs, FL 32655-2114, which I have maintained for
>> more than a dozen years.
>>
>> Regarding donations, we are accepting gifts and gift certificates as
>> well as food and volunteer time for the Holiday Gathering event which
>> is a dinner for City employees and their families. In addition to
>> food, gifts will be distributed. Many citizens are coming forward to
>> help with this dinner.
>>
>> As a point of reference since we don't each other very well, I served
>> the City of High Springs for 8 years as an independent contractor that
>> developed and managed the High Springs Farmers Market from 2000 to
>> 2008.
>>
>> I was also a consultant to the City many years ago when the City tried
>> to save the Youth Center which was previously located in the Old
>> School. In both cases, I was specifically requested to serve by the
>> City Commission (we were under a mayor form of government back then.)
>> I have worked very closely with city staff for a long time and have a
>> fondness and respect for our government and the people who work for
>> us, the taxpayers.
>>
>> Please direct any questions, concerns or issues to me should they
>> arise. I will be most happy to respond as quickly and completely as
>> possible so that there are no further issues with miscommunication or
>> distribution of incorrect information.
>>
>> Thank you for your service to our City.
>>
>> Take care, Sharon
>>
>>
>>
>> Begin forwarded message:

>>
 >> From: Bob Barnas <bbarnas@highspringsfl.com>
 >> Subject: Concerned Citizens for a Better High Springs
 >> Date: December 5, 2012 3:46:53 PM EST
 >> To: Lee Vincent <lvincen@highspringsfl.com>, Scott Walker
 >> <scottwalker@highspringsfl.com>, Susan C. (C)@highspringsfl.com

>> Lee and Scott,

>>
 >> I asked Jenny today for an address for the group. She has no physical
 >> address linked to this group. I would like to know iff this is OK? Is
 >> it OK to give the use of the "Old School" to a group that has no
 >> single spokesperson as their head and no address to correspond with
 >> should there ever be an issue going down the road? They are asking the
 >> community on Facebook for donations. It does not say to the city, or
 >> to them.

>>
 >> The only thing Jenny has is that the email from them that they use was
 >> linked to a request from Ross Amborse. So if he is their spokesperson
 >> or person that organized the group fine, just let us know so we can
 >> send a thank you card or documents we may have to deal with Ed
 >> McKinnon, Sharron Yeago, Linda Jones...who is actually the
 >> responsible person for the grassroots group? Are they at the address of
 >> CDC? I think we need to know.

>>
 >> While there are many prominent names in the group, I have been asked
 >> who are these people?

>>
 >> cc: hsc@highspringsfl.com
 >> Bob Barnas
 >> High Springs City Commissioner
 >> 352-508-7055

>> *Please note:*

>>
 >> Florida has a very broad public records law. Most written communication,
 >> including e-mail addresses, to or from the City regarding City business
 >> are
 >> public records available to the public and Media upon request. Your e-mail
 >> communication may be subject to public disclosure.

>>
 >>
 >>
 >>
 >>
 >> Sharon L. Yeago
 >> 352-415-6211 / phone
 >> 352-256-0116 cell

>> _____
 >> "The first wealth is health."
 >> - Ralph Waldo Emerson

>>
 >> "Let thy food be thy medicine and thy medicine be thy food "
 >> - Hippocrates

11/17
2

- >
- > -
- > Bob Barnas
- > High Springs City Commissioner
- > 352-538-7355
- >
- > *Please note:*
- >
- > Florida has a very broad public records law. Most written communication,
- > including e-mail addresses, to or from the City regarding City business are
- > public records available to the public and Media upon request. Your e-mail
- > communication may be subject to public disclosure.
- >
- >

Sharon L. Yeago
 352-418-8017 phone
 352-256-8115 cell

 "The first wealth is health "
 - Ralph Waldo Emerson

"Let thy food be thy medicine and thy medicine be thy food "
 - Hippocrates

Search for people, places and things

Home

Create Page
Feb 1960



Concerned Citizens For A Better High Springs

Liked

126 likes 2 talking about this

Community

MISSION STATEMENT Concerned Citizens for a Better High Springs supports a local government with a mission and professional management that provide leadership, accountability and a vision for our future.

126

About - Suggest an Edit

Photos

Pages

Highlights

Concerned Citizens For A Better High Springs
3 hours ago

Code Of Conduct. The City of High Springs has been discussing a "Code of Conduct" for Commissioners & Charter Officers. The issue will again be on the agenda Thursday March 28th. The Steering Committee made the following statement at the last Commission Meeting.

"Good evening Mayor & Commissioners,

My name is Linda Jones and I am a resident of Edgemore in High Springs. I am speaking tonight on behalf of the Concerned Citizens group, where I serve on the Steering Committee.

Last fall, when our Mission Statement was drafted, we publicly defined four Principles that would guide our group. This included, "Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents." Adopting a Code of Conduct for our city leaders is consistent with this principle and we encourage the Commission to do so.

The City of High Springs is not breaking new ground by considering such a code. The cities of Bradenton and St. Pete here in Florida have recently adopted such codes, ones I can only assume our City Attorney has reviewed in preparing the Resolution you are considering tonight. The Internet, Social Media, availability of video cameras in everyone's cell phone are just some of the driving forces behind the need for our city to provide clear guidance and expectations for our officials. The job of representing the city is a 24/7 responsibility where it is not easy, if not at times impossible, to make the distinction between personal comment and action vs. that of a representative.

Concerned Citizens believes that it is the duty of our representatives to be held to a higher standard as should be detailed in an adopted Code of Conduct. Please vote to support such a code or explain to the community why the proposed code is not being supported.

Thank you."

Concerned Citizens For A Better High Springs
March 15

Everyone Wants To Make A Difference.

Cancer effects so many at so many levels. The Soup-R-Sweet Social is your opportunity to say that you understand or have been effected.

THIS SATURDAY - March 16th from 5:30 to 8 PM (FOR ONLY \$5 + a non-perishable food item) you can show your support for the fight against cancer.

Your donated food item will go to the community pantry run by Catholic Char... see here

Share

Diana Potte, Janis Cataldo Barnett, Jim Dodson and 5 others like this.

Nissy Newd Hinson. Where is this being held? Would have been good to know about this a little sooner?
March 15 at 6:41am via mobile

Concerned Citizens For A Better High Springs The Soup-R-Sweet Event is being held at the Women's Club in High Springs. The information and request to pass this information along was provided to us on Thursday. Hope your plans are flexible enough to make it and support these community groups.
March 15 at 10:13am

Concerned Citizens For A Better High Springs
February 6

Heather McCall Caballero posted this and we also wanted to share this information with the community. He was a very good public servant and will be missed.

Sgt Chuck Harper lost his fight with cancer this evening. For those of you who may not know him, Sgt Harper was the HSPD officer who responded to the shooting at our school. He has fought a long hard battle and I ask that you pray for the family he has left behind.

Share

6 1 3

Concerned Citizens For A Better High Springs
December 14, 2012

Christmas Party for Employees (29 photos)
Old School House first event, Dec. 14, 2012

Founded on September 28, 2012

In High Springs, Florida.

4 people like this.



Sharon Kantor How do we go about making High Springs better?? I am willing to work at it!
September 17, 2012 at 7:48pm 1



Concerned Citizens For A Better High Springs Keep up to date with this page. Opportunities to meet, discuss and create | to review and implement will be forthcoming.
September 17, 2012 at 8:39pm 1



Robert McClellan Whatever happened to the vision of a vibrant little Main street town, with cafes and upscale shops? Instead ministries, empty storefronts and second-hand junk shops. And I thought the city was going to turn Poe Springs into the eco-to I am very disappointed.
September 21, 2012 at 9:49am



Sharon Yeago watch this space for more information!
September 28, 2012 at 10:18am



Genie O'Brien @ Robert, I heard on NPR WUFT radio the other day that Poe Springs Park has been turned back over to the C Springs, and the ongoing problems rebuilding the concrete steps was mentioned. At the end of the segment they said "mayb...
September 28, 2012 at 2:24pm 1



Genie O'Brien Thank you for the invitation to like this page and get involved. Technically I live in an unincorporated area betn High Springs but if my input and or participation in helping to restore civility and sanity in the City of High Springs is welcome, assist however I can.
September 28, 2012 at 2:26pm



Sharon Yeago we'll add your name to our effort, thanks Genie!
September 28, 2012 at 2:34pm 1



Susan Jefferbaum Esq. Tell your friends about this effort. It is important that word gets out. If we all work together we can
September 28, 2012 at 2:46pm



Concerned Citizens For A Better High Springs Sharon Kantor, Robert McClellan, please let us know if we can add your na supporters. See more information above that has been added. We can email you our founding Mission Statement and Principle
September 28, 2012 at 2:47pm 1



Sharron Britton Please add me to your list. I am thankful to have a successful business in High Springs, but more civility and would definitely encourage me to keep it here. Let me know what I can do.
September 28, 2012 at 3:47pm 4



Back In Balance Water! Health Care I am so happy to see I am not the only one concerned about the way things are hap this time. I often feel like "Alice in Wonderland" that has dropped down the rabbit hole and things just keep getting curiouser a see the charm and character of our town restored.
September 30, 2012 at 5:45pm 2



Jayne Orr Sign me up. I have watched as many others have, our community fall apart. A few years ago we helped shape the f seems like now we are just watching people in power fight with no sense of how they are affecting the lives of so many. An opt beginning. Thanks.
October 1 2012 at 7:53am 1

Citizen Group Forms In High Springs

Staff Reporter

• Mon, Oct 01, 2012



A group of local citizens has formed **Concerned Citizens for a Better High Springs** in an effort to effect good policy decisions by local government. This newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials, utilizing existing governance structures and creating new policies to improve the wellbeing of the City of High Springs.

According to local resident, **John P. Manley, III**, one of the initial organizers of the group, "We hope to put before the Citizens of High Springs a series of goals for the management and administration of the City to return it to a balanced, financially viable operation. Additionally, we wish to promote the City Administration as a pro-active catalyst for serving the people and move the City to reach its highest and best potential. We wish to create an environment of appreciation and initiative that works to rebuild the once strong morale amongst the City Staff so they can continue to serve the Citizens with the distinction for friendliness and service they have always had. Finally, we wish to incorporate those near term goals for stabilizing the City into a component of a broader landscape that paints a future picture of the City that all the townspeople can embrace; and work together to accomplish. We want our town to be the kind of town that our children hope to remain in to start their families and raise their children."

The group's mission statement reads, "Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future."

The group developed four Guiding Principles that it is using to educate the community and will offer policy recommendations on these issues:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs is looking for local residents, business owners and others invested in and supportive of its goals. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at www.facebook.com/bosjgm3.

Local

High Springs residents rally to form grassroots group

Detail's Published on: Monday, 08 October 2012 15:32 Written by: C. J. WALKER Plus 2/5

14

[2 Comments](#)



Concerned Citizens for a Better High Springs hosted a lunch for City employees on the heels of a 6.07 percent pay cut.

HIGH SPRINGS -- Members of the newly-formed group, "Concerned Citizens for a Better High Springs" (CCBHS), delivered lunch on Wednesday, Oct. 3, for City of High Springs employees affected by the recent 6.07 percent salary cut to all non-union City employees.

"We want to encourage our City employees to hang in there by providing support in a meaningful way," said CCBHS Publicity Chair Sharon Yeago. "Our employees are taking a financial hit for the benefit of the city. We want them to know how much we appreciate their efforts and supplying lunch is one small way we can help relieve one burden, the financial responsibility of lunch, and show our appreciation," said Yeago.

The group, which has grown to more than 150 members in fewer than five days, was "formed to support good policy decisions in our government," said CCBHS Steering Committee Chair and High Springs resident John Manley. Other members of the Steering Committee include local residents Becky Johnson, Bob Jones and Linda Jones.

Both Yeago and Manley are proud that they were able to attract so many citizens interested in supporting good policy decisions by city government in such a short time using Facebook, email and personal outreach.

"We are a nonpolitical, nonpartisan organization," explained Yeago. The group has already created a mission statement and guiding principles, which are all listed on the organization's Facebook page. The group's mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs' reputation as a fair and open government that is inclusive, open and fair.

Steering and Events committees have been established by the group," said Yeago. One of the first actions of the Events Committee is the provision of Wednesday's lunch for non-union city employees. Events Committee members include Ed Mackinnon, Linda Hewlett, Tom Hewlett, Lisa Phelps and Sandra Webb.

"This citizens group came together out of a deep concern and love for the city of High Springs. This city is at a crossroads," Manley said. "We feel it is important to put any history aside, and build a broader, more rational and encompassing plan for the future of High Springs that the majority of the citizens can get behind and work to make happen," explained Manley.

"We are encouraging citizen participation in deciding the direction of our city," said Yeago. "This is a group to help our government consider policy decisions that make our city viable," she said. "Our group has no political agenda. We just want to help the city make the best decisions they can for our citizens and the future of High Springs," she said.

Yeago explained further, "Our agenda is based on good policy and we will be making what we consider to be good policy recommendations on an ongoing basis. Good policy transcends politics. It's not about who happens to be in the office at the moment. It's about how our government serves its citizens now and in the future."

"What we're trying to do is develop solutions for what we feel are the problems we now have," Manley said. "We are a strategic group, not a political group," he insisted. "Politics is not a part of what we're doing. We want to contribute solutions and encourage other citizens to get involved to help do the same," he said.

"We have problems that may take 5 or 10 years...or possibly more, to solve. Previous commissions made decisions under different economic conditions than we have today. Perhaps we have to look at earlier decisions in a different light given our current economic condition. We want a city that is professional and well run," he said. "We just want to participate in the process."

Anyone interested in more information about Concerned Citizens for a Better High Springs may locate their website on Facebook or contact a member of the organization.

#

email Cwaker@alachuatoday.com

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

FIVE KEY AREAS OF PRINCIPAL CONCERN:

- 1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.**
 - a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000;
 - b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000;
 - c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years; and an expected further drop of at least 9%, making the local dispatch option the most expensive option for this service.

Therefore, we believe that: *Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.*

- 2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.**
 - a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour.
 - b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices.
 - c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

Therefore, we believe that: *The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.*

- 3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance**
 - a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices.
 - b. The City has been operating without an experienced City Manager, City Attorney, City Planner, or City Engineer leaving the City significant loss of institutional knowledge and very vulnerable in all phases of operation and management oversight.

- d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from; \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

Therefore, we believe: *The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.*

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

- a) **Water & Sewer-** Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event. Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again.
- b) **Brick & Mortar -** City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

Therefore, we believe: *Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.*

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

- a. The amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis virtually impossible from a financial perspective.
- b. If the amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range planning concerns were not considered by the Commission in any detail, and they should be carefully explored by the citizens before election day when considering this amendment.

Therefore, we believe: *The proposed amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners [4 of 5 voting] AND a referendum vote by the citizens, is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.*

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters, the Mission Statement, Guiding Principles and Policy Recommendations developed by the group can be requested by email at hscitizens@gmail.com.

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

reminds you to

to ensure your voice is heard in High Springs!

SAMPLE GENERAL ELECTION BALLOT
ALACHUA COUNTY, FLORIDA
NOVEMBER 6, 2012

VOTE BOTH SIDES OF BALLOT

Page 4 of 4

Go ALL the Way!

HIGH SPRINGS CITY COMMISSION

SEAT 4

(Vote for One)

Pat Rush

Byran Williams

HIGH SPRINGS CITY COMMISSION

SEAT 5

(Vote for One)

Scott Jamison

Edward "Ed" Riess

PROPOSED AMENDMENT TO THE CITY OF HIGH SPRINGS CHARTER NUMBER 1

It has been proposed to amend the City of High Springs Charter to restrict municipal borrowing to One Million Dollars on any single loan transaction, unless the City Commission votes by two-thirds majority and also receives referendum approval of the voters of High Springs.

Shall the above Charter amendment be adopted?

YES

NO

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

FIVE KEY AREAS OF PRINCIPAL CONCERN

1. The Dispatch Project is a major financial drain whose re-installation was premature at best and ill-advised at worst.

a. Recently, the City Manager's Office projected the cost to acquire and maintain the system internally at approximately \$325,000,

b. The County provided identical dispatch services to the City, with superior modern equipment, at an original budget amount of \$105,000 but always projected at less than the City's cost;

c. Ad valorem tax revenue continues to drop in excess of 8.2% for the past two years, and an expected further drop of at least 9%, making the local dispatch center's increased cost inappropriate at this time.

THEREFORE, WE BELIEVE: Shifting the emergency dispatch from the County to the City is an ill-timed expense that the City is unable to afford.

2. The morale of the City's employees has been badly eroded by the City's Commission leadership and attitudes. The non-union employees have had to bear a disproportionate share in reductions to their compensation and benefits, all in an increasingly hostile atmosphere.

a. The reduction in benefits and elimination of overtime has ranged from a 15% reduction in income and benefits for some employees, to as much as a 30% reduction for others. A fire fighter in High Springs now earns less than \$11 per hour;

b. The generally hostile stance of the Commission has resulted in charges of violations of accepted labor law and good management practices, and has thus exposed the City to litigation in the form of state and federal labor law violations, "Whistle Blower" claims, and charges of discriminatory practices;

c. There is now a strong likelihood the employees will unionize in order to assure a reasonable work environment. If unionization occurs, it is a direct result of a hostile work environment and poor management. Labor costs for the City may well rise dramatically.

THEREFORE, WE BELIEVE: The morale of the City's valued employees is frightening low. The turnover rate is unacceptable. The attitude of certain Commissioners towards the City's staff must return to one based on trust and appreciation. This unhealthy situation has to be corrected immediately.

3. The prolonged absence of professional management is destroying the City's credibility and greatly reducing its performance.

a. The unprecedented number of Commission meetings is unheard of and demonstrates the City's inability to handle its business using accepted governmental management practices,

b. The City has been operating without an experienced City Manager, City Attorney, City Planner, City Engineer, Public Works Director, full time Codes Enforcement Officer, full time Utilities Operator, and full time Parks and Recreation staff leaving the City with a significant loss of institutional knowledge making it very vulnerable in all phases of operation and management oversight,

d. The City's insurance underwriter for liability coverage for the Commission, has increased the annual insurance liability costs from, \$13,754 in 2011, to \$121,000 in 2012, with a projected premium of \$237,949 in 2013.

THEREFORE, WE BELIEVE: The City must immediately commit to properly funding and openly selecting a professional City Manager committed to returning High Springs to good government.

4. Critical infrastructure items are not being properly monitored and the lack of necessary maintenance, or funding reserves, exposes the City to an unreasonable risk of system collapse.

a) Water & Sewer: Experts have warned the City that it is close to losing its ability to provide drinking water due to the ancient delivery system which is bordering on collapse. If water wells fail, the City does not have any system flexibility, nor has it retained sufficient reserve funds to deal with such a catastrophic event.

Without available sewers and a functioning water system, each with proper capacity, new businesses will not, and many residents cannot, locate to High Springs. Further, the City is contractually committed to expansion as part of its land use program from the past. Insufficient capacity will cost many jobs that are needed to allow High Springs to thrive once again;

b) Brick & Mortar - City owned facilities go empty or cannot be adequately maintained at the current budget levels. The economy has created a 15% vacancy factor equaling about 350 homes among single family residents; and there is a glut of vacant commercial buildings. Vacant buildings and homes create blight, invite crime, cause falling real estate values; and result in a continuing drop in revenue.

THEREFORE, WE BELIEVE Shuffling monies to non-urgent, unplanned projects is leaving urgent infrastructure projects inadequately funded. A review of the economic viability of projects under each department needs to be done, eliminating any activity whose funds could better used to preserve the City's infrastructure.

5. Proposed changes to the City Charter will drastically change and significantly limit how future Commissions are able to run City government:

a. The Amendment would prohibit the City Commission from incurring any debt beyond one million dollars unless first approved by a 2/3 vote (4 out of 5) of the Commission PLUS passage of a referendum by the voters approving the debt, before the loan could be made, ensuring that an immediate response to a major crisis is virtually impossible from a financial perspective;

b. If the Amendment is approved, it has the potential to make debt consolidation and other financial planning tools less available for the City since governmental entities and financial institutions would have no organization with which they could deal to finish a transaction. Some say the cost of funds for the City could rise dramatically. Long-range financial concerns were not considered by the Commission and they should be carefully explored by the citizens when considering this Amendment.

THEREFORE, WE BELIEVE: The proposed Amendment to limit the debt to \$1,000,000, unless first approved by a 2/3 majority of Commissioners (4 out of 5) AND an expensive referendum vote by the citizens is a serious and significant limitation on future Commissions' ability to manage the financial resources of the City.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla Stat Section 106.011, does not qualify as either a political committee or an electoneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bsjqr3>.

Click this link will provide you with your very own copy of our Five Key Areas of Concern:
<https://docs.google.com/open?id=0B8wCOLL7-er6BLISW1hL1Gh2eL0>

Please share!

5 Points.pdf - Google Drive

<https://drive.google.com>



As of Friday night 9/28/2102, if the information is correct, it appears that Edward Riess has thrown in the towel leaving Scott Jamison to retain Seat 5 unopposed. That leaves Patrick Rush to run against Byran Williams for Seat 4 the seat now held by Dean Davis who is all too friendly with Rush.

Dean's close friend Robyn Rush instructed Davis to support Pat Rush and Davis is going around town putting up "Vote For Rush" signs.

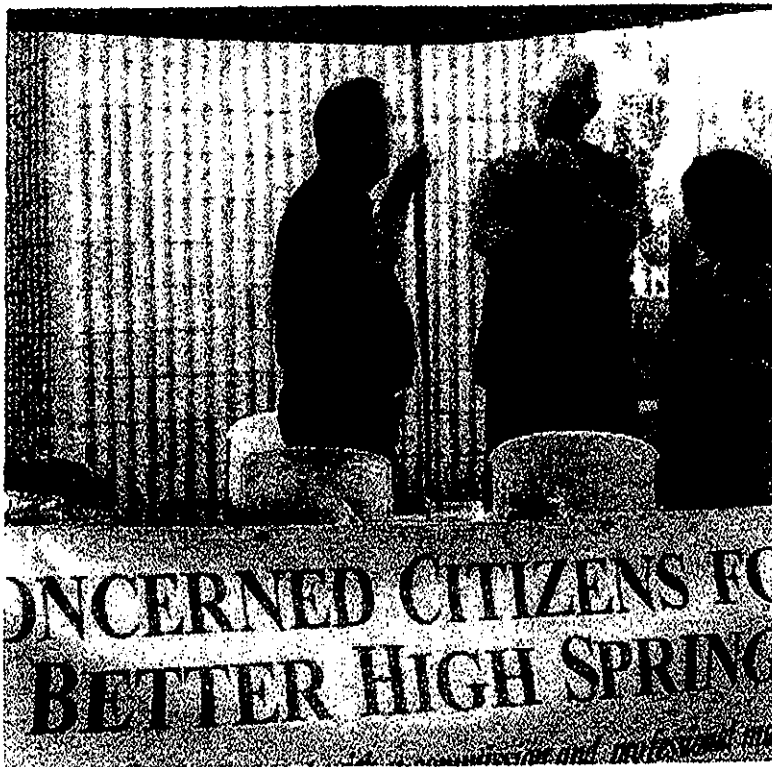
We must remember Pat Rush as the sole owner of "Pat's Place" a coffee shop on Main street that went out of business. He couldn't blame anyone else for his businesses' demise because he made all the decisions. How can any citizen of High Springs even think of voting for someone who couldn't successfully run his own small business to run our City's big business?

Everyone should send the present triumvirate a clear message that we the people, who this trio works for, can't take their lack of professionalism anymore. We will vote for Byran Williams because he has nothing to hide about his past and wants the chance to do damage control and better position High Springs to thrive once again by bringing in much needed jobs.

1. Concerned Citizens For A Better High Springs

01/14/11 2:01

Volunteers spent time during the Community Garage Sale today talking with folks about what has been happening in our community and the policy's we would like the City and Commission to focus on. Please let us know if you would like to be on the email list by emailing HSCitizens@Gmail.com. Thank you to everyone that helped today, stopped by or provided food!



Top of Form

- 111Share
- 11 people like this
- View 1 comment

Bottom of Form

1. [Concerned Citizens For A Safer High Springs](#) ... link

September 30, 2012

Please join our group to help change this!



Political turmoil continues to bubble in High Springs

www.gainesville.com

It was quiet in High Springs on Thursday night, from the empty sidewalks and darkened storefronts to the surprisingly cordial City Commission meeting.

Top of Form

- 22Share
- 2 people like this.
- View all 2 comments

Bottom of Form

1. [Concerned Citizens For A Better High Springs c...](#) Link

October 23, 2012

October 23, 2012

**CITIZEN GROUP ENCOURAGES HIGH SPRINGS VOTERS TO 'GO ALL THE WAY' TO THE END OF THE BALLOT;
CHECK YOUR POLLING LOCATIONS AND
ANNOUNCES THAT RIDES ARE AVAILABLE TO THE POLLS**

[Concerned Citizens for a Better High Springs enco...](#) See More

Alachua County SOE Mobile Web Site

elections.alachua.fl.us

2. Type in your street name You do not need to enter the direction or street type. Example: If you live on East Main Street, type in Main

Concerned Citizens For A Better High Springs
October 31, 2012

Check out this week's Alachua Today for an important message
from us! Thanks SO MUCH for your support!

1 Concerned Citizens For Better High Springs

March 2, 2017

You may have voted but there is still work to do! Concerned Citizens will again be meeting this Sunday @ 3PM in the old Video City building

We are still focused on our Guiding Principles. If you would like a copy or to be added to the list, see below

CONCERNED CITIZENS FOR BETTER HIGH SPRINGS

JOIN US!





VOTE ON NOVEMBER 6TH

GO ALL THE WAY

TO THE END OF THE BALLOT

To ensure your voice is heard!

High Springs Residents... Need a Ride to Vote? We Can Help! Call Sandi at 352-339-4345

**CONCERNED CITIZENS FOR A
BETTER HIGH SPRINGS**

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We, the people...

Susanne Ackermann
 Stefi Hulin Affron
 Christopher Agle
 Ross Ambrose
 Lars Anderson
 Patsy Anderson
 Dickie Arvin
 Shari Asbury
 Carolyn Baker
 Jeannette Banks
 Penny Banks, former City employee
 JoAnne Barrows
 Celeste Beck
 Roger G. Beck, DPM
 Susan J. Beck
 Larry Behnke
 Anne Alfano Bello
 Marilyn Bennett
 Karen Benz
 Marvin Blankenship
 Susie Blankenship
 David Bludworth
 Alyan Bluhm
 Barbara Bluhm
 Norma Boone
 Donna Bradbrook
 Anna Bradford
 Stacey Breheny
 Sharon Britton
 Jay Bromenschenkel
 Susan Brotherton
 Linda Buccheri
 Heather McCall Caballero
 Valorie Cason
 Pat Caudle
 Dennis Chouinard
 Paula Gavin Cifuentes
 Heather Clarich
 Jeannette Clarich
 Thomas Clarich, Sr.
 Thomas G. Clarich
 Suzie Clark
 Hal Cohen
 Linda Cohen
 Tina Collins
 John Comly
 Jim Conner
 Barbara Cox
 Paige Coyle
 Rick Coyle
 Crystal Lane Curran
 Andrew Daugherty
 Carol Daugherty

Karen Wood Davis
 Tom DePeter, former City
 Commissioner/City Attorney
 Joan Dickson
 Ron Dickson
 Deborah Douglas
 Jen Drow
 Dawn Lange Drumm
 Ronald DuPont, Jr.
 Saroj Earl
 Terry Enima
 Shannon Erickson
 Darin Erskin
 Holly Erskine
 William Eyerly
 Jennifer Forrester
 Earl Gabriel
 Lucille Gabriel
 Debbie Gamber
 Maggie Gamber
 Jim Gamberton
 Erin Gardner
 Sandi Gardner
 Peter George
 Allan Graetz
 Laura Graetz
 Randy Graetz
 Alice Green
 Patricia Grunder
 Donald Gudbrandsen
 Elaine Gudbrandsen
 Constance Heuss
 Michael Heuss
 Linda Hewlett
 Tom Hewlett
 Linda Heyl
 Kim Simmons Hill
 Brian Hlnote
 Misty Mead Hinson
 Albert Isaac
 Lynn Jamison
 Scott Jamison, City Commissioner
 Loyce A. Jones
 Becky Johnson, Steering Committee
 David Johnson
 Bob Jones, Steering Committee
 Linda Jones, Steering Committee
 Willa Jones
 Sharon Kantor
 Judi Kearney
 Mike Kearney
 Wanda Kemp
 Barbara Kowats

Bradley Kyes
 Alvatyn Lancaster
 Karma Norjin Lhamo
 Karen Koch LeMonnier
 Arlene Dorin Levine
 Gene Levine
 Nancy Linkous
 Tim Linkous
 Michael Loveday
 Christopher Locke
 Angie Lovelock
 Buck Machete
 Dawn MacKinnon
 Ed MacKinnon
 Francis MacKinnon
 Michael Mahoney
 Terry Malibie
 John P. Manley III, Steering Committee
 Sharon Manley
 Kathy Clarich Mathery
 Sanford Mathery
 Barbara Martin
 Dr. Tony Matheny
 Herb Maslisky
 Robert McClellan
 Thomas McDonald
 Marilyn Mesh
 Dena Meyerhoff
 Steve Meyerhoff
 Barbara G. Miller
 Donna Mogler
 Henry Mogler
 Scott Mogler
 Aaron Morphet
 Patti Moser
 Betty Muller
 Patty Napier
 Diane Norton
 Genie O'Brien
 Sylvia Odum
 Vanessa Opper
 Jayne Orr
 Cynthia Pailthorpe
 Betsy Patterson
 Monalisa Phelps
 Andy Phillips
 Peter Pintler
 Richard Pis
 Christian Popoli, former City Planner
 Christy Popoli
 Nellie Reed
 Lucie Regensdorf
 Paul Regensdorf
 Maggie Riggall
 Cathy Rivers
 Russell A. Roberts
 Sanna Saare
 Teri J. Salomon

Julie Gamber Samosuk
 Lynula Shutter Schladant
 Saroj Shana
 Leslie Smith
 Mike Smith
 Ashley Spence
 Janet Stein
 Jim Stein
 Darryl Steinhauer
 Heidi Tapanes
 Rick Testa
 Betsy Thomason
 Scott Thomason
 Nancy Torres
 Dorsey Travis
 Larry Travis, former City Commissioner
 Joanne Tremblay
 Sharon Tugman
 Jan Walker
 Jim Walker
 Tomi Walker, former City employee
 Marlon Watkins
 Damon Watson
 Sandra Webb
 Sue Weller, City Commissioner
 Tom Weller
 Susie Westfall
 Jennifer Whitney
 Bryan Williams, Candidate for City
 Commissioner
 Mike Williamson
 Charlett Wilson
 Sonja Moore Wilson
 Carol Wiltbank
 Lee Wiltbank
 Jim Wood
 Sally Wood
 Tom Work
 Sharon Yeago
 Larry Zorovich

Local Businesses
 Adventure Outpost
 Back in Balance Natural Health Care
 Dive Pub & Grub
 Enchanted Memories
 Flying Fish
 GoHighSprings.com
 Grady House Bed & Breakfast
 GLA Consulting Group
 High Springs Copy Center
 Pampered Paws
 The Wellness Spa
 The Workshop

PLEASE JOIN US by emailing us
 at hscitizens@gmail.com or "Like"
 us on Facebook.

Concerned Citizens for a Better High Springs is a nonpartisan, nonpolitical grassroots citizens' group and, pursuant to Fla. Stat. Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort.

EXHIBIT "B"

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

CASE NO.: 13-125

**RESPONSE OF RESPONDENT SHARON YEAGO
TO COMPLAINT IN FEC CASE NO. 13-125**

The Respondent, Sharon Yeago files this Response to the Complaint filed against her in this Florida Elections Commission matter, Case No. FEC 13-125, and would respectfully show the Commission as follows:

1. **Purposes of this Response:** This Response will fulfill three purposes that are equally important in the proceedings of this Commission.

a. First, foremost, and most simply, this Response will demonstrate that the Complaint of Mr. Barnas is legally insufficient, on its face and as a matter of law, and should be denied, dismissed and stricken.

b. Second, this Response, the very attachments to the Complaint themselves, and the attachments to this Response, will further establish that, not only is the Complaint **legally insufficient**, it is also factually devoid of truth on its key points, incorrect, willfully false, and clearly known by Mr. Barnas to have been so **prior** to its filing.

c. Third, because of the points that will be conclusively established in the first two purposes above, this Response will lay the groundwork for a Petition for Attorneys Fees, Sanctions, and Such Other Penalties as the Commission Deems Appropriate, which will be promptly filed within 30 days of the dismissal of this Complaint, pursuant to this Commission's Rule 2B-1.0045, and Florida Statute §106.265(1) and (6). On page 3 of his Complaint [R-00005], Mr. Barnas urges this Commission "to bring to bear its power and authority" in this matter. Respondent agrees 100%. But once that power and authority reviews the totally deficient Complaint in this matter and dismisses it, the remainder of this Commission's statutory charge [to penalize those who wrongfully attempt to invoke this Commission's sanctions against a totally innocent group] will, it is believed, compel it to sanction Mr. Barnas, an all-too-frequent "complainer" in the several halls of our State government.

2. **The Complaint is legally insufficient, on its face.**

a. It is a relatively simple task to allege a legally sufficient complaint against an individual/group, charging that they have operated an unregistered Political Committee. For the purposes of this Response, the legal sufficiency would have been essentially satisfied if it could be shown that the individual/group had:

i. Expressly advocated the election or defeat of a candidate, or the passage or defeat of an issue on a public election ballot. [This first point is a simple matter of showing exactly where that express advocacy is found in the Record or elsewhere. This Commission has tens if not hundreds of consent or other final decrees where groups have openly stated "Vote for Jones," or "Vote against Proposition 6." It is painfully easy to allege and prove that a group has expressly advocated a candidate or an issue... when it is true.]

ii. Spent more than \$500 on expressly advocating that election or defeat, or that passage or defeat. [Note: it is not sufficient to suggest only that an individual/group has raised or spent more than \$500 on other activities; the money must be spent on the defined express advocacy. Florida Statute §106.011 clearly states the requirement in this fashion: a political committee is a group "that in an aggregate amount, in excess of \$500...[m]akes expenditures that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." Again, it is not hard to allege a violation... if one has occurred. You show that the target group (1) expressly advocated for a candidate or an election issue, and then (2) similarly show that it spent in excess of \$500 on the express advocacy. As will be shown, the Complainant is 0 for 2 on these critical requirements.

iii. If points one and two are clearly and sufficiently shown to exist, THEN [if the group has at least two "members"] the provisions of Chapter 106 require a number of steps to be taken since the group could then be deemed a "Political Committee." Sharon Yeago readily admits that neither she nor the Concerned Citizens for a Better High Springs group complied, or even attempted to comply, with these statutory requirements, because there was no reason to. Neither she nor the Concerned Citizens group is or was a political committee and the group never expressly advocated any action that would trigger the requirements of Chapter 106. The Respondent does not claim ignorance of the law; rather the Record before this Commission shows a scrupulous compliance with the law, a compliance that the Complainant, Mr. Barnas' own materials establish and which simultaneously prove the actionable misconduct of the Complainant, as that conduct is defined in Rules 2B-1.002 and 2B.1.0045 and Florida Statute §106.265.

b. The Complaint, at first blush, "appears" to make some general conclusory allegations that could conceivably lead to a legally actionable [or "sufficient"] complaint, if the supporting materials were at all consistent with the allegations and proved (1) express advocacy and (2) an expenditure of more than \$500 in that advocacy. For example, Mr. Barnas, the Complainant, states [under oath] in paragraph 3 of the Commission's form [Record-000001] that the

Concerned Citizens group was formed "specifically to oppose a ballot referendum." Similarly, on page 1 of the Complaint's narrative [R-000003] it is alleged that the group [the Concerned Citizens For a Better High Springs] was "organized to oppose a specific issue," and again on that same page it is alleged that the group was formed "to defeat the ballot issue" and now adds that the group was also formed to "support and support [sic] the election of Byran Williams and Scott Jamison." [Id.]

c. Again, on page 2 of the narrative, Mr. Barnas alleges that the group made "expenditures" for "the defeat of the ballot issue."

d. What is exceedingly odd about these allegations of the Complainant is that not one -- not a single one -- is coupled with any quoted materials of the Concerned Citizens group that actually DID expressly advocate the defeat of the ordinance or DID advocate the election of anyone, or the defeat of anyone.

e. There is no material issued by the Concerned Citizens group that the Complainant cites or quotes or refers to for either proposition.. for one simple reason: the group never expressly advocated for or against the ballot charter amendment nor did it ever expressly advocate for or against any candidate. The Complainant asks the Commission or its staff to check out his materials. The Respondent agrees with THAT request in spades. Seldom has a group more

painstakingly documented its guiding principles and mission than did this group. It was loudly committed to a return to professional management and civility in High Springs, after a disastrous course of neither under the one year of control by the then majority [none of whom were on the ballot], including the Complainant.

f. The absence of any specific [or even general] statement being cited by the Complainant in his abortive effort to claim that the Concerned Citizens group was advocating any position in the election speaks volumes. The Complainant's charges are made up and imaginary. They have no basis in fact whatsoever, and the very materials he asks this Commission to look at prove conclusively that this group, pushing for a return to good government, refused to get into the gutter of local politics in High Springs as politics existed in the Fall of 2012, and avoided every single one of the negative and provably false charges that the Complainant asserts. The fact that the Complainant has the temerity to make these patently false allegations in the face of clear materials to the contrary -- that he attaches to his Complain -- proves the ill-motive and actionable intent of Mr. Barnas, under Rules 2B-1.002 and 2B-1.0045, and Florida Statute §106.265. This critical component of this Commission's responsibilities will be expanded on in the final portion of this Response and in the above described Petition that will be filed within 30 days following the dismissal of this Complaint.

g. The legal insufficiency of the Complaint is amply demonstrated by the fact that the documents that were actually written by and statements made by The Concerned Citizens for a Better High Springs uniformly avoid making any express advocacy for any candidate or any issue on the ballot. The Complainant clearly knew that this was the case (despite his sworn allegations to the contrary); two specific allegations demonstrate the ill will of the Complainant.

h. First, Mr. Barnas, the Complainant, makes reference to a sign that urged a no vote on the charter amendment. He claims (again, "under oath") that there were "two four ft x four ft" "Vote No" posters opposing (with CCFBHS disclaimers) the ballot referendum that were hung on a fence at the entrance to one of the two polling places." No photograph of these signs is submitted and no other effort is made to link them to the group that the Respondent was a sometimes spokesman for other than to say (without definition) that they were "with CCFBHS disclaimers."

i. Attached to this response and discussed in greater detail in the next section of this response are the affidavits of the Respondent and of the individual who bought the signs and personally created them, without any assistance whatsoever from the Concerned Citizens group, without any support by it, and without any acceptance of the language by the Group. In short, because a citizen

urged fellow citizens to vote no, the Complainant has accused Ms. Yeago, under oath, of doing something that she [and the Concerned Citizen's group] had absolutely nothing to do with. The reason for these allegations, and the motivations for this unprincipled attack on her, will be clear.

j. The second point raised is a statement in the Complaint that a High Springs resident (Gene Levine) urged the citizens of High Springs to vote no on the charter amendment. It is claimed that Mr. Levine posted this on the Facebook page of the group (along with hundreds of other posts of all different sorts). Significantly, there is no allegation that Mr. Levine's statement itself claims to have been on behalf of the Concerned Citizens group (because it was not and Mr. Levine did not claim it to be), there is no allegation that the Concerned Citizens group agreed with this, advocated this, or joined Mr. Levine's opinions (because they did not in any form or fashion), and there is no argument why somehow a person whose Facebook page has something posted to it becomes an express advocate for each and every such statement. In fact the law in the United States is directly to the contrary. See Section 320 of the Communications Decency Act, 47 U.S.C. §230.

k. The Complaint, on its face, is absolutely devoid of any statement, whatsoever, made by The Concerned Citizens For a Better High Springs which in

anyway advocated the election or defeat of any candidate in the election or the passage or defeat of any issue on the November 2012 ballot in the City of High Springs. Mr. Barnas is a serial "complainer" before numerous boards, commissions, and associations in the State of Florida and apparently takes some joy or solace in serving as a Commissioner by means of a rule of threats and intimidation. This Commission, on the face of the Complaint, can easily and readily acknowledge and determine that the Complaint is legally insufficient and should be dismissed without further attention. The Concerned Citizens For a Better High Springs, and Ms. Yeago as its sometimes spokesperson, at no time was a Political Committee pursuant to Chapter 106 of the Florida Statutes and consequently had no obligation to comply with the various registration requirements contained in that Chapter for political committees.

1. The Complaint in this cause is an embarrassment and, in an appropriate petition following dismissal, it will be urged that this Commission sanction Mr. Barnas for bringing this matter before the Commission willfully, maliciously, and for improper motives, all of which subject him to the sanction of this Commission and to the payment of the attorneys' fees of the Respondent for preparing this response.

3. **The Concerned Citizens For a Better High Springs is not and never was a Political Committee.**

a. As set forth in extensive detail above, the Complaint and the documents attached thereto conclusively establish that the representations made under oath by the Complainant that the Concerned Citizens group had taken a position on the ballot charter amendment issue are patently false and were known by the Complainant to be false when they were filed. The materials on their face demonstrate that the Concerned Citizens group clearly published their list of principles and mission statement and none of them addressed, directly or indirectly, either the issue of the charter amendment nor the or defeat of that matter, nor the election of any individual.

b. To supplement the materials submitted by the Complainant in this cause, affidavits have been submitted to this Commission of the Respondent, Sharon Yeago, and of three citizens of the City of High Springs, Thomas Hewlett, Ross Ambrose, and Ed MacKinnon.

c. Ms. Yeago's affidavit, as the Respondent before this Commission, reiterates in detail that which is clear from the attachments to the Complaint: the Concerned Citizens group had a highly defined and complex set of goals for the City, and none of them expressly advocated for or against an issue on the ballot.

Although the Complainant has attached many of the publications of the Concerned Citizens group (all of which are completely consistent), the very first publication which demonstrates in detail exactly why the group was formed has not been attached and that is now before this Commission in the record, attached to Ms. Yeago's affidavit as Exhibit A to that affidavit. The group was not formed to oppose a charter amendment provision, nor to advocate for or against any candidate. Those matters are simply not addressed whatsoever in the formative documents of this organization. All of these documents were publically circulated in the City of High Springs and the Complainant, Mr. Barnas had full and complete access to all of them and was fully familiar with them prior to the filing of this Complaint [which took place months after the election]. He willfully failed to take note of that which he knew and has misrepresented these critical facts to this Commission.

d. The issue of the two signs that were visible at the election polling places in the City of High Springs are a second and further example of the duplicity of the Complainant in this cause. There is a suggestion that the "vote no" sign at the polls had some sort of a "disclaimer" with respect to the Concerned Citizens group. Nothing could be further from the truth. The affidavit of Mr. Hewlett [Exhibit 2 to this Response] and the photographs attached thereto as Exhibits A and B] conclusively demonstrate that the sign urging voters to vote

against the charter amendment was that of Mr. Hewlett and his wife alone, without the consultation with, support from, or payment by the Concerned Citizens group. The sign (a photograph of the front and back of which are attached as Exhibits A and B to Mr. Hewlett's affidavit) contained absolutely no reference whatsoever to the Concerned Citizens group, which was fully and completely consistent with the fact that the sign was Mr. and Mrs. Hewlett's personal statement. Mr. Barnas' sworn statement to this Commission under oath, that this was in some way related to and contained a reference to the Concerned Citizens group is totally and completely false, and provably so.

e. Mr. Barnas' sworn misrepresentations to this Commission of the sign that the Hewletts prepared is made worse by the fact that on election day, Mr. Barnas himself prepared signs urging the voters in the City of High Springs to vote yes. Of course, Mr. Barnas had every right to do that and if he did it by himself, or did it with someone else and spent less than \$500 he would have been able to do so without running afoul of Chapter 106.

f. What in fact Mr. Barnas did, however, as reflected by the affidavit of Mr. Ed MacKinnon [Exhibit 3 to this Response], another citizen of High Springs, was to attempt to hijack the good name and good will of the Concerned Citizens group which had been established in High Springs prior to the election. Mr.

Barnas on his sign, claimed at the bottom (as shown by the blow-up attached to Mr. MacKinnon's affidavit as Exhibits A and B to his affidavit) that the sign was prepared by a "concerned citizen for a better High Springs". Clearly, Mr. Barnas was the only individual attempting to wrongly utilize the name of the Concerned Citizens group when he personally urged a vote for the charter amendment.

g. To come before this Commission in a sworn document subject to the pain of perjury and statutory penalties and contend that it was the Concerned Citizens group that put its name on some sign is outrageous, provably false, and should not be condoned by this Commission.

h. The final affidavit [Exhibit 4] attached to this Response is by Ross Ambrose, another citizen of High Springs. His affidavit recounts the City Commission's complete failure to fulfill its statutory duties to inform the electorate of the meaning and purpose of the Charter Amendment. The public was completely uninformed by the City about what the majority of its Commissioners wanted to do to the Commission in the future. The citizens deserved to know what they were voting on.

4. The actions of the Complainant, Robert Barnas, were deliberate, malicious, without basis in law or fact, and contrary to this Commission's Rules and to the Florida Statute Chapter 106.

a. The motivation of the Complainant is legally irrelevant to the determination by this Commission that the Complaint he has filed in this cause is legally insufficient. As set forth in painstaking detail above and irrespective of the additional materials furnished by the Respondent in this cause, the Complaint and the record before this Commission on its face, conclusively demonstrates that the Concerned Citizens For a Better High Springs never, at anytime, in any way, through any medium, ever expressly advocated for or against any candidate or for or against any ballot issue. The materials attached conclusively establish that the Concerned Citizens group was scrupulous and law-abiding in its concern for good government. The group focused its attention on a number of good government issues other than those few that were actually on the ballot in November of 2012. The Complainant, for reasons that will become painfully clear to this Commission and its staff, chose to willfully ignore the very materials that he submitted to this Commission. Had he bothered to do look at them even cursorily, any person of average intelligence would clearly have seen that the Concerned Citizens group never expressly advocated anything regarding the November 2012 election.

b. Mr. Barnas cannot ultimately claim that he simply didn't "know" the law, and mistakenly made these false charges. In the very first paragraph of his complaint he urges this Commission and its staff to review one of its own cases, which he had researched "carefully" -- FEC Case No. 06-129, and suggested

[apparently] the similarity of that case to this one. That Consent Order, however, proves the willfulness of his actions here, because the group in that matter had published an advertisement that had expressly stated "Vote for Amendment Five" (a ballot issue on the statewide ballot at that time). If Mr. Barnas had bothered to read that decision closely and compare it to each and every piece of written material published by the Concerned Citizens For a Better High Springs, he should have recognized that the High Springs group was totally and completely within the law. Notwithstanding this fact, the Complainant publicly broadcast his plans for weeks to file this complaint against Ms. Yeago [a woman who works in the public sector and whose livelihood is built on her character and credibility], and announced to all when he finally did so. His actions are malevolent and willful and knowing and without any basis in the law. They cannot be condoned.

b. The additional points that the Complainant, Mr. Barnas, has attempted to use (the signs, etc.) to try and "demonstrate" that the Concerned Citizens group was somehow involved, have also boomeranged. A visual review of the signs shows that the only person in the City of High Springs who attempted to flaunt the law with respect to a political committee was Mr. Barnas himself, who deceptively masqueraded as this nonpartisan political group with his own sign, expressly advocating that the charter amendment be passed. See Exhibits 2 and 3.

b. As noted in the opening portions of this Response, and as will be more extensively described in the Petition that will be promptly filed within thirty (30) days of the dismissal of this Complaint, Mr. Barnas' actions were, candidly, those of a bully. He has acted before this Commission in direct violation of this Commission's rules and of Florida Statute 106.265. He has filed a Complaint which is, on its face, false, vindictive, malicious and actionable under Florida law. He knows the group has done nothing wrong, but his pattern, before this Commission and before several other commissions and associations in the state of Florida, is to shotgun complaints to as many organizations as possible in hopes that he will quell citizen resistance to his inappropriate tactics. It is precisely this form of incivility in small town government that stimulated the creation of the group that Mr. Barnas now attacks. The group's formation had nothing to do with candidates or election issues. It had everything to do with good government.

c. As noted above, Mr. Barnas does not always act quietly and in the shadows. Rather, he loves to publish selected materials and attacks on his website including the details concerning the many complaints (often confidential) that he files before the Florida Ethics Commission, this Commission, the Florida Bar Association, and anyone else who will accept complaints from an individual such as him.

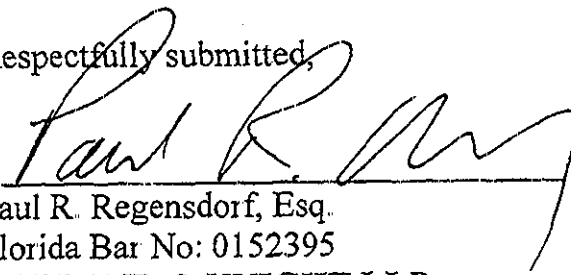
d. In the case of the Concerned Citizens For a Better High Springs, Mr. Barnas through his website long trumpeted the fact that he intended to file this spurious complaint against the group. (See attached composite Exhibit 5). In doing so, it can be seen that Mr. Barnas had ample time to study the statutes, to review the materials, and to educate himself concerning the falsity of the information and charges that he has now put forth to this organization. He chose not to do so. Rather, as reflected by Exhibit 5, Mr. Barnas actually went out and sought advice as to how to file the Complaint and, although wisely no attorney chose to represent him in this matter, Mr. Barnas' published actions demonstrate that he decide to make these false charges knowingly, willfully, maliciously, and in a very public manner, long prior to the actual filing of the Complaint in question.

e. When the Concerned Citizens group, through a different spokesman, made a public statement at a recent City Commission meeting in the City of High Springs on the issue of a need for civility in our City government (one of the group's founding goals) and the passage of a civility code (as is common in many cities throughout the State of Florida), Mr Barnas in his view of the world gleefully published that he had now identified someone else who was brave enough to stand up and be a spokesperson for this group. Although not named as a respondent in his Complaint, he claimed that this proud public statement as basis for his now filing the Complaint in question. Despite the widely published steering

committee and the names of hundreds who supported the Mission of the group, Mr. Barnas went after the spokespeople.

f. It is respectfully suggested to this Commission and its staff that the conduct of the Complainant before this Commission (let alone the conduct of this same individual before numerous other organizations and bodies in the State of Florida) is in violation of Florida law and subject to the sanction of this body by way of penalty, attorneys' fees and such other relief as this body deems appropriate. Upon the dismissal of the charges before this Commission against Ms. Yeago, a subsequent Petition pursuant to Rule 1B-1.0045 and Florida Statute §106.265 will be made, formally requesting these payments and sanctions from and against Mr. Barnas.

Respectfully submitted,



Paul R. Regensdorf, Esq.
Florida Bar No: 0152395
HOLLAND & KNIGHT LLP
50 N. Laura St., Ste 3900
Jacksonville, FL 32202
Phone: 904-353-2000
Fax: 904-358-1872
E-Mail: paul.regensdorf@hkclaw.com

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION
Case No. FEC 13-125

AFFIDAVIT OF RESPONDENT SHARON YEAGO

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the
within named Sharon Yeago who, after being duly sworn on oath stated as follows:

1. My name is Sharon Yeago and I have lived in the High Springs, Florida area for the last 14 years. My current residence address is 21120 NW 132 Lane, High Springs, Florida 32643.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct.

3. In the fall of 2012, a group of citizens in the High Springs area got together informally because they were very concerned about the unprofessional and partisan behavior of City elected officials and the detrimental effect it was having on City operations and staff morale. This informal group, which was a gathering of local residents, business owners and other concerned individuals, took on the name of Concerned Citizens for a Better High Springs. There was no formal organization of the group other than a steering committee that arose from the need to organize meetings, activities and record our concerns, mission and principles in writing. I functioned from time to time as a spokesperson for the group, and assisted in preparation of certain materials and in creating certain press releases concerning the mission and principles of this group.

4. The Concerned Citizens for a Better High Springs carefully crafted and documented its concerns as well as its mission and principles that it wished to work toward. The group at no time issued any statement nor made any other comment expressly advocating the election or defeat of any candidate to the City Commission, nor did it expressly advocate for the



approval of, nor against the passage of, the charter amendment that was on the ballot in November 2012.

5. The Complainant, Bob Barnas, is and was a High Springs City Commissioner at the time of our group's coming together in the Fall of 2012 and held the position of Vice Mayor. Mr. Barnas was not running for election in November 2012 and, despite his primary role in the creation of a hostile atmosphere created by unprofessional and partisan behavior by members of the City Commission, neither his name nor any specific or general reference to him is found in any of the materials issued by The Concerned Citizens for a Better High Springs group.

6. A careful review of all of the materials prepared by Concerned Citizens for a Better High Springs, including each and every document attached to Mr. Barnas' complaint in this case, conclusively establishes, without any question of fact whatsoever, that Concerned Citizens for a Better High Springs group did not expressly advocate for or against any candidate, nor for or against any specific issue on the November 2012 ballot, nor was it formed to do either. The group was extremely careful to stay out of the immediate politics of the November 2012 election and so stated in all of its materials.

7. As established in the public records and a separate lawsuit brought by a resident of the City of High Springs concerning the ballot initiative, Mr. Barnas personally invested a great deal of personal and political energy to force the issue of a spending limitations onto the ballot despite the advice of the then-current City Attorney, the former City Attorney, and ultimately the current City Attorney of the City of High Springs. His precipitous actions were contrary to Florida law, had not been properly noticed, and were therefore void. The Complainant did not heed that advice from those individuals.

8. Once that ballot initiative for the charter amendment was passed by the Commission (in contravention of the City Attorney's advice), the City was under a statutory obligation to present information to the electorate concerning the proposed amendment and what the amendment was supposed to do. Ballot summaries were to be placed at the polling stations and not one of these activities was performed by the complainant, then Vice Mayor, or by the City Commission.

9. The Complainant-sponsored charter amendment actually passed on the vote [in the absence of the statutorily-required explanation of its terms], but was preliminarily enjoined by the Circuit Court in the Eighth Circuit, Judge Griffis, and later struck as void ab initio when the new City Attorney ultimately acknowledged the fatal defects and confessed error concerning the actions of the then City Commission majority, including Vice Mayor Bob Barnas, the Complainant.

10. To partially fill this vacuum of public information regarding the issue, Concerned Citizens for a Better High Springs included some information in one release that was a factually accurate statement concerning what the ordinance did and how it was supposed to work. The proposed amendment, which was designed to provide a strict limitation on the power of city government to borrow money and conduct its business, was factually identified as such by Concerned Citizens for a Better High Springs. Such concerns never lead the group to expressly advocate either the passage or defeat of the ordinance. Quite to the contrary, material published by this group expressly told the citizens that the considerations of the effects on future government "should be carefully explored by the citizens before election day when considering this amendment." The voters were to decide what type of government they wanted.

11. A statement I made in an early press release concerning this group accurately sets forth what this group stood for.

We are a nonpolitical, nonpartisan organization [I explained] the group has already created a mission statement and guiding principles, which are all listed on the organization's Facebook page. The group's mission and key principles are to provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs reputation as a fair and open government that is inclusive, open and fair.

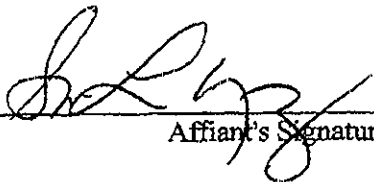
A copy of the group's original policy statement concerning the desire for good government is attached as exhibit A to this affidavit. As with each and every other statement from this group, it did not expressly advocate any candidate or election issue and the unsupported statements of the Complainant, contradicted by his own attached materials, do not change that reality.

12. The Concerned Citizens group at no time held any fundraising events. During one of our first meetings, we passed the hat to cover any potential costs of printing our information or a group banner for any public events we were able to attend [well under \$500.]. No bank account was established. At no time did we assist in the preparation of, or purchase, or commission or approve any documents, signs, or banners favoring or not favoring any candidate or the passage of the charter amendment in question. Because the November 2012 ballot was quite long --approximately four (4) pages for High Spring's voting districts -- and because the City of High Springs' election matters were on the very last page of this long ballot, at the end, the group purchased a full-page ad in the Alachua Today newspaper on the Thursday before the election to encourage voters to "Go All The Way" to the end of the ballot to vote on the High Springs candidates and charter amendment issue. This ad [included in the Record at R-000031-32] also set out our guiding principles, but does not in any manner whatsoever, speak for or

against any issue or individual on the ballot in November 2012. In addition to the full page ad, we issued a press release and handed out flyers at community events also encouraging voters to "Go All The Way" to the end of the long ballot. None of these materials, as reflected in this Commission's Record, expressly advocated any issue or candidate on the ballot. To suggest that they do, in the face of the materials themselves, is a deliberate attempt to mislead this Commission.

13. Mr. Barnas publishes a blog or website page frequently in which he "comments" on activities in the High Springs area. For weeks before he filed this complaint against me he announced publically his intention to file an Elections Commission complaint and proudly discussed the "advice" that he had obtained in the preparation of the very complaint that he filed before this Commission. He also bragged about filing the complaint after he filed it. [See attached exhibits]. Any individual who read the materials that he attached to this Complaint would see that there is not a single statement for or against any individual or any issue contained in any of the Concerned Citizens' materials and Mr. Barnas' complaint to this Commission can only be seen as an attack against me personally, unrelated to any imagined violation of Florida Statutes.

FURTHER AFFIANT SAYETH NOT.

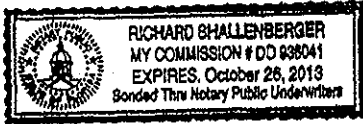

Affiant's Signature

STATE OF FLORIDA

COUNTY OF ALACHUA :

The foregoing instrument was acknowledged this 7th day of MAY, 2013, by SHARON YEAGO, who is personally known to me or who has produced _____ as identification.

Witness my hand and official seal, this 7th day of ^{MAY} April, 2013.



[Handwritten signature]

Notary Public
Printed Name
of Notary Richard Challenberger

Commission Expires: 10/26/13

Commission Number: DD 9364041

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>.



CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City:

- commitment to the city manager form of government;
- commitment to retain a professional, experienced and accountable city manager, to compensate; her/him commensurate with ability and experience, and to protect him/her from improper pressures from elected officials;
- commitment to retain a competent professional city attorney and to compensate him/her commensurate with ability and experience;
- commitment to retain the current Finance Director of the City, the City Clerk, and other valued employees, and to compensate them commensurate with their ability and experience;
- maintain a continued commitment to providing the necessary infrastructure to attract and retain businesses and employers to the City of High Springs;
- foster a working relationship with ALL business owners, small and large (especially those that have large investments in our community), that have potential to grow and expand employment opportunities;
- restore the essential function of a City staff as supporters of the Commission's work and actions;
- allowing issues to be developed and presented in a business-like manner at meetings, with reasonable notice to the public and to other Commissioners;
- dedication to the concept that a professionally managed City can normally accomplish its business during the regularly scheduled, twice monthly meetings of the Commission, historically scheduled at 6:30p m, when most citizens and Commissioners who are employed can reasonably attend and participate;
- appoint a charter review commission with directions to perform a full review of the Charter;
- evaluate the nature and make-up of all City boards/commissions/committees and make any necessary changes to re-invigorate and fulfill the City's mission

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility:

- re-evaluation of the local dispatch center, and a redirection of those designated funds into vitally needed city functions;
- evaluation of the sewer system to ensure productivity, effectiveness and affordability now and in the future, always in light of our commitment to the economic development and the environment. This includes establishing an immediate priority to add planned users to the sewer system to help maintain reasonable and fair sewer rates;
- evaluation of the City's water system to provide needed repairs and to insure that it fairly and efficiently delivers quality water to the citizens of High Springs in a reliable manner, generating reasonable revenues from users;
- promote and utilize current tax abatement programs to attract new business and employers to High Springs;
- prohibit any consideration of any new programs outside of the City without a clear statement of municipal purpose and professional analysis of the financial feasibility of any such project

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

POLICY RECOMMENDATIONS CONTINUED...

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff, with residents, and with the public:

- a broad commitment to restoring the quality of life, benefits and morale of the City's dedicated and invaluable employees;
- Commissioners must learn the proper way to interact with City employees in a city manager form of government;
- abusive conduct by any City official or employee toward City staff or citizens will no longer be tolerated;
- educate Commissioners, the City staff, and Plan Board members on their appropriate roles in evaluating proposals for new businesses or development to assure that High Springs can properly interact with people interested in developing a business relationship with our City.

Principle Four: There must be a commitment to restoring the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the press, and most of all with its own citizens:

- promote programs that encourage the public to come to High Springs to enjoy our Good Nature, and ensure that while here they experience our good nature;
- create a program where a designated City Commissioner is assigned the responsibility of repairing relationships with necessary governmental entities, such as the USDA and Alachua County government;
- re-educate Commissioners on their limitations in contacting other governmental entities on behalf of the City without authority from the Commission to do so;
- proactively announce to local, state and national governments that there is or will shortly be a decidedly new and rational approach to government in High Springs;
- encourage growth and diversity, maintain green space and conservation of sensitive areas, and promote the re-use and re-development of existing vacant and under-developed areas, all with an awareness of the local environment and a concern for the future of High Springs.

Concerned Citizens for a Better High Springs is a nonpartisan nonpolitical grassroots citizens' group and pursuant to Fla Stat Section 106.011, does not qualify as either a political committee or an electioneering communications organization. We encourage local residents, business owners and others invested in and supportive of our goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosiqm3>.

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF THOMAS HEWLETT

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Thomas Hewlett who, after being duly sworn on oath stated as follows:

1. My name is Thomas Hewlett and my residence is 315 SE 6th Lane, in the City of High Springs, Florida.
2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct
3. I was aware of the formation of a concerned citizens group in the City of High Springs in the Fall of 2012 because the tenor of City government in High Springs, led largely by the three person majority including the Vice Mayor, Robert Barnas, had become uncivil, unnecessarily contentious, and unacceptable. As a result of these realities in our City, a group of citizens formed an informal organization called the Concerned Citizens For a Better High Springs. I was not on the steering committee of that organization, but I attended several meetings and I am aware of the work that they did and the goals that they set.
4. The Concerned Citizens group developed a number of goals and policies that it wished to advocate, none of which was directly related to supporting the candidacy of any individual, the opposition to any candidate, nor the passage or opposition of any ballot issue on the November 2012 election. In fact, the Concerned Citizens group consciously avoided any such endorsement for or against any individual or any issue so that it could stay above the fray. The issues that the public statements and the newspaper advertisement by this group clearly



raised reflect that commitment to good government, but avoid any endorsement of or expressly advocating for or against any candidate or for or against any issue on the November 2012 ballot.

5. On the November 2012 ballot in the City of High Springs was a charter amendment pushed significantly by the Vice Mayor, Robert Barnas, which was designed to severely limit the power of future city commissions to govern

6. Since the Concerned Citizens group took no public position whatsoever with respect to that charter amendment, and since the City Commission majority [including Vice-Mayor Barnas] distributed no information of any sort that explained the proposed amendment, my wife Linda and I decided as individual citizens that we would put up signage against the passage of that ordinance. Without any consultation with the Concerned Citizens group, and neither seeking nor obtaining the endorsement or help of any group in the City of High Springs, my wife and I paid a total of \$98 58 to obtain two commercially printed signs that urged the citizens of High Springs to vote "No" on the proposed charter amendment. The signs made no reference to the Concerned Citizens group whatsoever.

7. Photographs of the fronts and backs of these signs are attached hereto as Exhibits.

8. The Concerned Citizens group was not aware of the preparation of these signs, they did not endorse the preparation of these signs, they did not contribute to the funding for these signs, and did not in any way suggest any design or format for these signs. My wife and I took this on ourselves as individual citizens in the City of High Springs. A copy of the payment that we made from our personal checking account is attached hereto as an Exhibit as well

9. As the election approached, another individual citizen in the City of High Springs brought a personal lawsuit against the City, challenging the method by which this charter amendment had been rammed through the City Commission, largely by Vice-Mayor Barnas.

Ultimately, the circuit court in Gainesville agreed with this citizen's personal challenge and found the ordinance to have been improperly enacted and void from the start. The court's preliminary injunction and final order are attached to this affidavit as additional exhibits. The final decision from the Court did not come until the City conceded defeat after the election.

10. On election day, my husband and I, with a friend, brought the signs that we had purchased to the two City polling places and put them up.

11. I still have one of the signs in question. These were our idea and we paid for them. My wife and I will further explain these circumstances to any governmental body in the State of Florida if it is necessary.

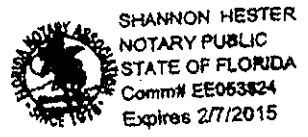
FURTHER AFFIANT SAYETH NOT.

Thomas E. Hewlett
Affiant's Signature

STATE OF FLORIDA
COUNTY OF Alachua :

The foregoing instrument was acknowledged this 22 day of April, 2013, by Thomas E. Hewlett, who is personally known to me or who has produced as identification

Witness my hand and official seal, this 22 day of April, 2013



Shannon Hester
Notary Public
Printed Name of Notary Shannon Hester

Commission Expires: 2/7/2015

Commission Number EE053824

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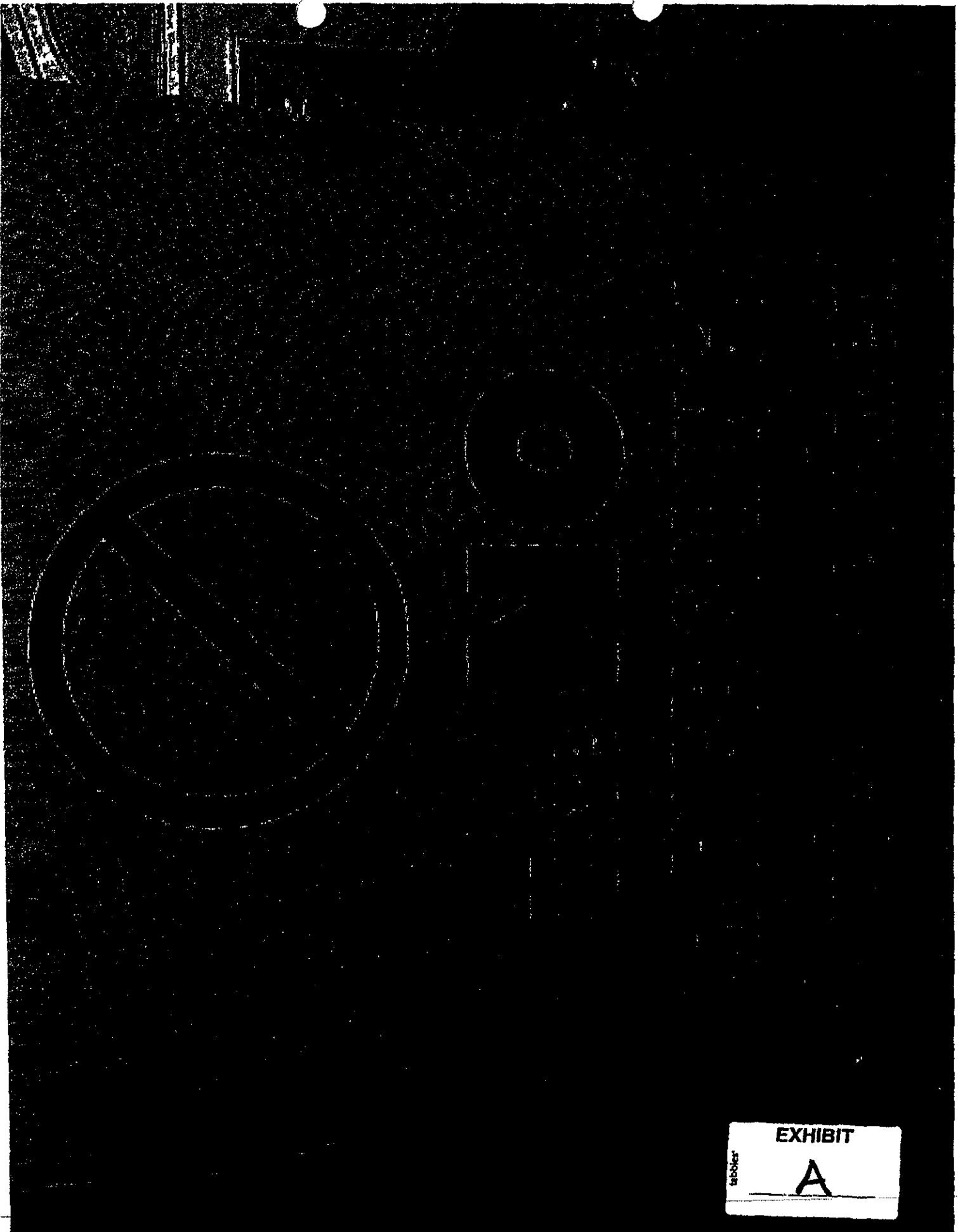


EXHIBIT
A

tabbier

Ex B



EXHIBIT
B

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ed MacKinnon, who being first duly sworn under oath, deposes and states:

When I went to the polls on November 6, 2012 I saw Vice Mayor Bob Barnas place a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. We recently put a full page ad in the local



Affidavit of Ed MacKinnon
Ambrose v City of high Springs
02-2012-CA-3385

paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

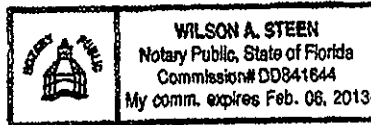
FURTHER AFFIANT SAYETH NAUGHT.

J.R. or

Ed MacKinnon

STATE OF FLORIDA COUNTY OF ALACHUA

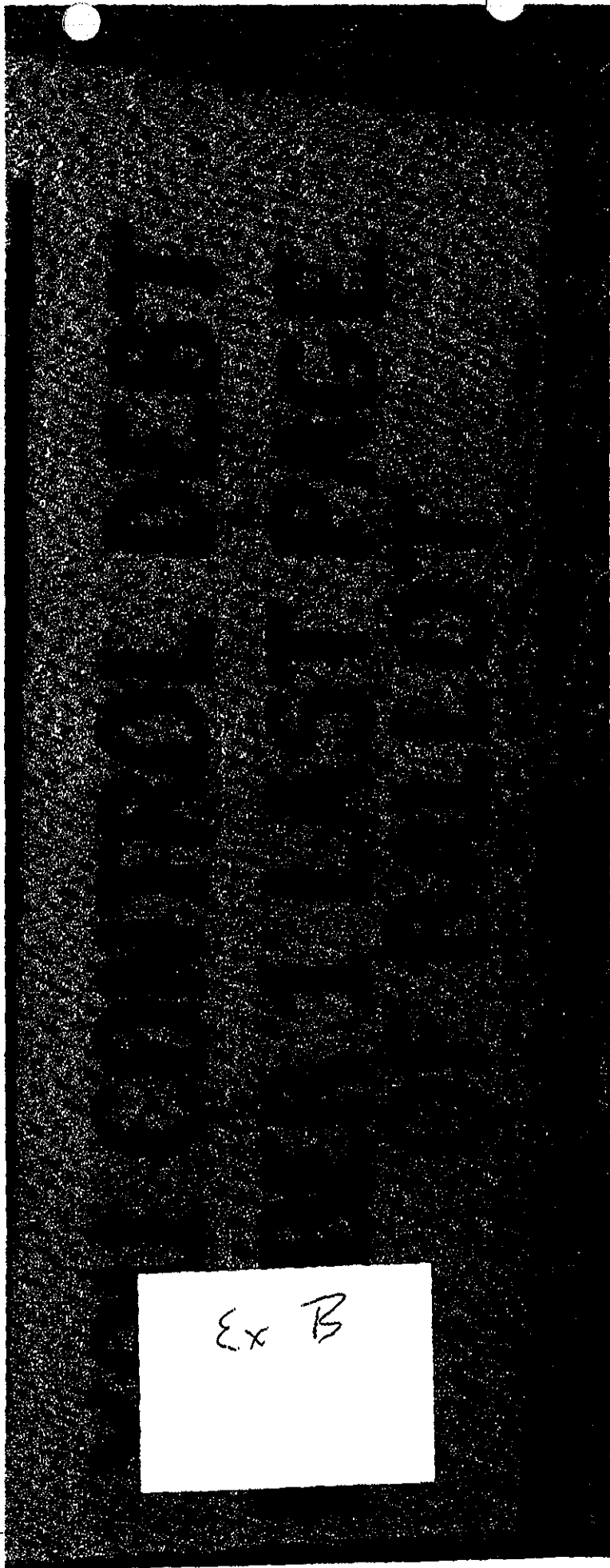
Sworn to or affirmed and signed before me on
November 9, 2012 by
WILSON A. STEEN NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk] Personally known Produced
identification. Type of identification produced
FLORIDA DRIVERS LICENSE



EXHIBIT

A

10/10/00



Ex B

EXHIBIT
B

AFFIDAVIT

In Re: Ross Ambrose v. City of High Springs
01-2012-CA-3385

STATE OF FLORIDA

COUNTY OF ALACHUA

BEFORE ME, the undersigned authority, this date personally appeared Ross Ambrose, who being first duly sworn under oath, deposes and states:

Ordinance 2012 -13 was not available to the public for review at the second reading (public hearing) on July 31, 2012. I was unable to obtain a copy of Ordinance 2012-13 when I filed my Complaint in August 2012. I directed my Counsel to obtain a copy of Ordinance 2012-13 to file with the Court. Despite repeated requests, my counsel was unable to obtain same. Her last attempt was on October 22, 2012.

I went to City Hall on October 23, 2012 and obtained an unsigned copy of Ordinance 2012-13. It was not until at least October 24, 2012 that the Ordinance was signed by the Mayor.

When I went to the polls on November 6, 2012 (Precinct 60, High Springs) I requested to review a copy of the proposed Charter Amendment (Ordinance 2012-



13) that was on the ballot. It was not available for me or any other citizens to review in its entirety. However, all of the State amendments were posted and available, as required by Florida statutes

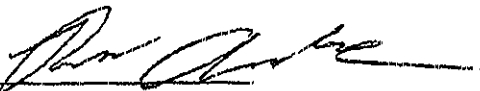
From the time the proposed Charter amendment was purportedly passed on July 31, 2012 through election day there was no education on the proposed Charter Amendment provided to citizens by the City. There were no town hall meetings; there were no mail-outs or pamphlets published that would educate the citizens as to how the proposed debt cap could or would affect them.

On election day, I saw a large yellow sign stating "High Springs Debt Cap. Vote Yes, You control debt, Number 1 Last page of Ballot" outside the polls at Precinct 60, with a disclaimer at the bottom stating the poster was paid for by "Citizen Concerned for a Better High Springs."

I am a member of "Concerned Citizens for a Better High Springs"; Vice Mayor Barnas is not. Concerned Citizens for a Better High Springs is a non-political grassroots organization that formed to further the goals of professional, experienced and accountable management of the City, fiscal responsibility, civility and fairness and a commitment to restore the reputation of City government and its relationship to citizens and the community. Within a few days of forming, this group had more than 200 members. The group recently placed a full page ad in the

local paper urging citizens to vote, but taking no position on any issues. I believe the wording on the notice posted by Barnas was an attempt to confuse the voters into believing this well respected group of citizens supported this measure.

FURTHER AFFLIANT SAYETH NAUGHT.


Ross Ambrose

STATE OF FLORIDA COUNTY OF Alachua

Sworn to or affirmed and signed before me on
11-9-12 by Jeannette B Banks NOTARY
PUBLIC or DEPUTY CLERK [Print, type, or
stamp commissioned name of notary or deputy
clerk] Personally known Produced
identification. Type of identification produced



Front Page Faith The Truth about Syrac
TRUTH JUSTICE AMERICAN WAY



BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA
BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

COMMENT

is a group of people who are Concerned Citizens for a Better High Springs a Political Committee?
The definition is not that they support a candidate but even if it is a issue.
And its a member of that group was an attorney, and should know the law is that a problem?

My records request to City of Alachua was not replied to. Imagine that. So based on something I read
by a certain attorney. I did my searching of the Alachua Commission meetings on line. Good news
they really have a good on line records service for the public, bad news is they really have a good on
line records service for the public.

Thanks Ms. Chapman for pointing my in the direction I never thought of looking at.

So I made a phone call today to a State Agency. What they said was, "thats not good"
"Please give us a day to research this."

A clue to my question would be in the on line email I sent to the Alachua city manager. If you have
access to it, then you may know where this is going.



Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



I reviewed the Kessler Audit. The amount of funds used for non CRA projects is now public record. Unlike the records of the Community Development Corporation or CDC of High Springs.

A public records request to them received a letter from Dot Harvey telling the CRA she does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA.
BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

COMMENT

Is a group of people who are Concerned Citizens for a Better High Springs a Political Committee?

The definition is not that they support a candidate but even if it is a issue.

And if a member of that group was an attorney, and should know the law is that a problem?

Just food for thought.

UPDATES
AMBROSE CASE THAT DOES NOT WANT A DEBT LIMIT GOES TO HEARING IN FRONT OF JUDGE OCT. 25TH
CARD COMPLAINTS IN WORKS TO GO TO THE FLORIDA BAR.
NEW QUIZ HOW MANY EQUARIES WORKING WITH ALACHUA AND THEIR CRA?
BID FOR FIRE STATION APPROVED. CONSTRUCTION SHOULD BREAK GROUND NOW
RECORDS REQUEST WENT TO CITY OF ALACHUA ABOUT THEIR CRA APPOINTMENTS AND SPENDING WILL BE NEXT

Update



NEXT MEETING IS VALENTINES DAY EVENING..

Letter to Florida Bar went in the mail. 4-8,1(b)

Records request for 1999 arrest will be in my hands this week. Hope there's a mug shot.

Tomorrow. another lie.

Since Ed MacKinnon has been telling his story to many, I found another person who heard what he said. He seems to have found me guilty of something and is telling many. My attorney has asked for full information. We meet Wednesday.

Of course there are degrees of doing something people accuse you of. Just more lies. And Mr. MacKinnon is certainly accusing based on hearsay..more lies.

So has Ed forgotten? I certainly would not be a liar if I said Martha Hines in 1999 while an officer with the High Springs PD had Mr. George Edgar MacKinnon arrested for "distributing material harmful to minors". Had to post a \$500.00 bond.

Ed MacKinnon distributing harmful material to MINORS thru his video store? True?

So did he really distribute material harmful to minors? Maybe he should tell everyone.

PAC complaint paperwork going in the mail tomorrow. Naming two local players.

Remember a PAC is two or more spending more than \$500 on political issues.

And Friday I should have the "Easy Math" commissioner document in the mail to Election Commission.

I first put this website out to deal with liars and bad information. I then strayed. I tried to use it to focus on positive issues. And let the liars be. I stopped filing ethic and election commission complaints and did not file the additional pages to a Florida Bar investigation.

Something happened today to get me back on track. The liars have returned and said something completely untrue, to the wrong person. You see if the witch was to tell a lie to a bad attorney, then it doesn't go outside the circle. It stays within the cult. The inner circle of CC.

But tonight an ORC slipped up. He said something to an outsider that got back to me. That outsider told me, I told my attorney and my attorney got the names. That person will tell the truth about what was said to my attorney. And the person that made the statement's has now back peddled. But if he says that to the outsider, then doesn't that confirm the liar is even a bigger liar.

So for the next several days this website will not have anymore posts. I am working on my paperwork about a PAC to the Florida Election Commission. And I am working on my paperwork about "the easy math candidate" and his flyer without a disclaimer. And I will have another letter going to the Florida Bar tomorrow. Ask Larry how that \$400.00 fine worked for him.

And finally, I will meet with my attorney on Friday. Not because I want to, but because the "no balls liar", told me this...

"Bring it on" ...

So if this "bring it on" individual wants the truth, Friday is 3 days away. Bring me the proof and ask me to my face. Man or worm?

Oh, and if you want to join me cleaning Main Street sidewalks and gutters, I will be out there cleaning at around 6AM Wednesday.

bobbarneas.com



NEXT MEETING IS VALENTINES DAY EVENING..

And friends post says it best:

Front Page Faith The Truth about Byran Documents Guest Comment

TRUTH - JUSTICE - AMERICAN WAY



YOUR SEWER RATE "\$69.45" - "IT'S EASY MATH" THIS IS JUST ONE OF THE PROMISES MADE BY BYRAN WILLIAMS AS I READ IT IN THE PAPER. SEEMS BYRAN WILLIAMS IS MAKING PROMISES TO MANY. PROMISES TO SOME WHO ARE GETTING WORD TO ME ON WHAT HE IS PROMISING. DOES THE CRONYISM WORD GET BROUGHT BACK AGAIN?

UPDATES

POE SPRINGS HAS INTERESTING SUPPORTER. WILL POST SOON.

LIST OF DONATION TO BYRAN IS IMPRESSIVE.

DEFINE NEPOTISM? RECEIVED CERTIFIED LETTER THAT STATE AGENCY IS LOOKING AT A COMPLAINT.

LARRY TRAVIS ELECTION COMMISSION HEARING FOR VIOLATION IS NOV. 15TH 9AM.

HAVE A TRIP TO TALLAHASSEE COMING UP. MEETING WITH TOP OFFICIAL TO TALK ABOUT.....

NEW PAGE ADDED. GUEST COMMENT

For a little milder side of goings on in High Springs try reading "friends post" (click here)

HIGH SPRINGS DEBT LIMIT VOTE YES YOU CONTROL DEBT AMENDMENT 1 on LAST PAGE Advertisement paid for by Citizen Concerned for a Better High Springs

SWEARING IN OF NEW FLORIDA ATTORNEYS THEIR OATH AND FLORIDA BAR ETHICS AS IT MAY RELATE TO A LOCAL TOPIC (click here) LAWYERS OATH

Judge Griffin ruled on the lawsuit brought by High Springs resident Ross Ambrose and his Alachua attorney Linda Chapman. As I see it there are 3 winners in this Vexatious litigation.

- 1. The city was found to have made emergency meeting and notices properly.
2. There is a question as to the change from \$1,000,000 to \$2,000,000 as made in the lawsuit is in question.
3 But the most important winner is the voter. The Amendment will still be on the ballot. The voter will have a chance to make a difference in the final decision with their vote.

Your vote of YES will be considered when this continues after the election

in this Ambrose case the Judge said "the claims for relief on Section 286.011 are dismissed with prejudice". So in a court case that is dismissed "with prejudice" it means that it is dismissed permanently. No redo on this part. Meaning that the cockamamle limitation is still on the ballot, and money Ambrose was looking to pocket is off the table.

[Front Page](#) [Faith](#) [The Truth about Byran](#) [Documents](#) [Guest Comments](#)

THE VOTE ON TUESDAY PROBLEM

All reports from the 3 candidates have a problem

This is the documents page And the documents submitted printed and displayed by all candidates have problems

Click on the links below to see the problems As of today I hear all have been corrected
Well not all yet

As a side note, I received my Notice of Hearing in front of the Florida Election Commission concerning a hearing for the election code violation of taking \$200 cash donation by Larry "potty mouth" Travis Will he be found in violation or will he be released from a violation or will he accept a negotiated agreement? November 15, 2012 9AM
I will post the notice for all to read Maybe he can take a fan bus of supporters there?

Got another certified letter in the mail today as well PERSONAL AND CONFIDENTIAL from the Florida Ethics Commission confirming they received some documents

I also received a document that shows the motion for the PIGG house was made by Byran Williams and Depeter made the statement he did not see any financial downside

Seems Ms Martha doesn't know the truth Oh, got some interesting Ms Martha stuff thrown my way as well To disclose this might be over the top Really is not good Really

Florida Statute 106 07(2)(a)2(b)1 Any report that is deemed to be incomplete by the officer with whom the candidate qualifies shall be accepted on a conditional basis The campaign treasurer shall be notified by certified mail or by another method using a common carrier that provides a proof of delivery of the notice as to why the report is incomplete and within 7 days after receipt of such notice must file an addendum to the report providing all information necessary to complete the report in compliance with this section Failure to file a complete report after such notice constitutes a violation of this chapter

[Jamison September Campaign Report](#)

[Williams September Campaign Report 1](#)

[Williams September Campaign Report 2](#)

[Williams October Campaign Report](#)

Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



I reviewed the Kessler Audit. The amount of funds used for non CRA projects is now public record. Unlike the records of the Community Development Corporation or CDC of High Springs.

A public records request to them received a letter from Dot Harvey telling the CRA she does not recognize me as Director or Chairman to ask for records. She said we needed a vote by the full CRA and then a request from the city manager. We did that tonight. Now the test is to see if Dot Harvey is truthful to her word or a liar.

BELOW IS THE LINK TO THE KESSLER AUDIT OF THE HIGH SPRINGS CRA. BEWARE THAT IT IS A LARGE FILE TO DOWNLOAD. HAVE SPACE ON YOUR SYSTEM.

More Commission news is we reopened the road behind city hall. Well not all of us. Jamison wants a fence. No, really he said that. I guess he's never been to the park and seen that there was never a fence there. I have a new name for him: ANTI MAN. So here is how you deal with that. When you want something, you vote the opposite and he will then vote against me. I think we need to require an IQ test for all commissioners. I have been listening to audio of meetings and the level of misunderstanding of the sewer bond, funding, rates and debt is unbelievable. You can't make this stuff up.

UPDATES

- AMROSE CASE THAT DOES NOT WANT A DEBT LIMIT GOES TO HEARING IN FRONT OF JUDGE OCT 23TH
- PRO COMPLAINTS IN WORKS TO GO TO THE FLORIDA BAR
- NEW QUIZ HOW MANY EQUINIS WORKING WITH TALACUA AND THEIR CRA?
- BID FOR FIRE STATION APPROVED. CONSTRUCTION SHOULD BREAK GROUND NOW
- RECORDS REQUEST WENT TO CITY OF TALACUA ABOUT THEIR CRA APPOINTMENTS AND SPENDING WILL BE NEXT

Front Page Faith The Truth about Byron
TRUTH - JUSTICE - AMERICAN WAY



clip from Eric Mays blog remember when he wrote this and more about
Byran Williams and more.

Campaign Finance Reports | High Springs Blog | highspringsblog.com/2010/10/05/campaign-o-
Oct 5, 2010 - it should be noted that based on his own campaign reports, Byron has illegally accepted
three cash donations in excess of the legal limit

And on 3/17/2011 Eric May called out Weller and Williams for their lack on understand of media.
Called the story "The Nanny City"

And remember when this happened and he massaged the budget. His blog said this.

After hours of discussion surrounding employee insurance rates and health plans, the commission
went back on a decision to restore two public works positions in favor of eliminating a police
position. Commissioner John Hill, who said he had a change of heart, even went on to say "It was with
a "bleeding heart" that he had to make this decision.

He (blame myself) and Commissioner Travis in voting to eliminate the public works Facilities
Maintenance Worker (Janitorial Position) and Service Worker 1 (streets) and putting in its place the
janitorial contract service and a seasonal Service Worker.

Remember when Commission May referred to the church people in attendance. He made some
reference to reacting to a MOB RULE if he listened to them...

The other stand of Eric May at the Womens Forum when he ran was his stance on how bad the Pigg
House purchase was. Is he now saying it wasn't a mistake. Flip flop again?

How soon we forget what we said in public, and must eat your own words.

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and the level of misunderstanding of the sewer bond, funding rates and debt is unbelievable.
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Front Page Faith The Truth about Byran Photos

TRUTH JUSTICE - AMERICAN WAY



Quotes of the day from Larry Travis to Bob Barnas at the Ground Breaking for the Fire Station.
 "Your an Asshole" and "at least I have friends" Really Larry, how many did you have last election? 269. I had 471.

Witnessed by many to smiles from the Concerned Citizens for a Better High Springs. This is what comes out of his mouth.
 The Coach: Never had any class, never will. Join us at his hearing in front of the Election Commission in November.

Two Haunted Houses going on in town. One on 441 at Tattoo Shop and one at the Lions Club.
 Admission for both locations.

Next Week
 Meeting on Wednesday to talk about water and sewer rates...

WOMANS CLUB FORUM FULL LENGTH SHOW. SEE THE REAL BYRAN WILLIAMS
 And check to oops out on the Byran Williams flyer that is on the photo page. Complaint worthy?

Paperwork went in the mail to a State Agency today.
 I am researching statute to see if I can legally disclose what it was.

Campaign donation issue came up on Eric May blog. Apparently he took his story on the violation by
 Byran Williams two years ago (September 2010) and Larry Travis out of his achieves. But I have the
 paperwork. And Larry Travis hearing in front of Election Board is in November. Go coach.

Had a conversation with Eric May today. Had his guru tape recorder going.
 He kept going at the word cronyism. Now lets see if he can research nepotism?
 How many brothers does it take to run a city? And collegial body.

UPDATES

WAITING FOR THE RULING ON
 ANDROSE CASE TO STOP DEBT
 REPRESENTUM

OLIVE BRANCH IDEA NOT
 WORKING. OK, LET SEE WHERE
 THIS GOES.

ZUMBA NEEDS A HOMETOWN
 ZUMBA HEARD ED MCKINNON
 HAS OFFERED HIS VACANT
 MEETING ROOM. (the old video
 place) SUPER NICE OF HIM TO
 DO SO.

Front Page Faith Cell Towers

Meeting update and more



all pages updated
4/2/2013 8AM
Freind Post posts a
letter. A step in
setting the record
straight.

READ THE TRUTH

More truth about
the fine Larry
Travis received.
Want to read it.

It is Easter. Resurrection of Jesus Christ. And much can be learned about this if you only took the time to understand and believe.

It is time for a resurrection of High Springs.

The liars have not learned, the traitors will continue to betray, the wicked will continue to cast their spells and the unbelievers will never learn.

I feel a turning of the tide. The newspapers need to rethink what they write. Truths must be told do the right thing, and they just might survive. If not, I feel there will be a understanding that much that has been written was false and misleading. Many are turning away from the press and I believe one will die and not be resurrected.

I sense a shift in the force. Some Commissioners may now be understanding the lack of professionalism in the city was not just that of the city manager fiasco that I was part of, it goes back farther and still infects us. Communication and records issues continue.

With lawsuits and revealing records, much more is now coming to light.
The truth is coming out...

So to the spell casters, the mouth that said, "screw the constitution", the non believers, the legal vultures and most of all the liars.....I am not going away. To the drafters of agendas, place all the stupid code and contributor rewarding issues you want on the agenda.

Keep the park road closed, continue to ignore the truth about the dispatch, keep your head in the sand and let the missed budget issues keep going on. Ignore and reward the noise makers and most of all just keep treating your job as a High Springs Commission as part time. Don't go to the classes and don't be a good example, keep ignoring you homework and what is happening right in front of your nose. I am just sitting back, watching the new majority show. The real work is falling behind and will soon bit you in the ass..

I am not going away. My paperwork dated April 1st, (for a reason) will go in the mail.



Front Page Faith The Truth about Bryan Documents

TRUTH - JUSTICE - AMERICAN WAY



I was looking at the High Springs Blog, the Ocean site and Alachua politics and the similarities are interesting. Spoke to LN tonight, and had interesting exchange.

Who drive the smurf blue vehicle and throws the bird or middle digit finger when you drive by?
Here's a clue... DR. Got the license number so I need to confirm some information.
Will get back on this one. could be good.

TONIGHTS MEETING HAD AN INTERESTING COMMENT FROM DEPETER. HE WAS WONDERING WHERE THE \$69 FIGURE ON SEWER CAME FROM. WHICH MADE ME WONDER WHERE BRYAN WILLIAMS GOT HIS NUMBERS FROM TO BLURT OUT THE \$69.45 AT THE WOMANS CLUB FORUM. SINCE HE DIDN'T MAKE IT TO TONIGHTS MEETING, MAYBE HE CAN TELL US AT THE NOVEMBER 8TH MEETING. EXPLAIN THE

"\$69.45" - "IT'S EASY MATH"

- UPDATES**
- POE SPRINGS HAS INTERESTING SUPPORTER. WILL POST SOON.
 - LIST OF DONATION TO BRYAN IS IMPRESSIVE
 - DEFINE NEPOTISM?
 - HAVE A TRIP TO TALLAHASSEE COMING UP. MEETING WITH TOP OFFICIAL TO TALK ASOUT.
 - GOTTA MAKE ANNOTION TO RENAME JAMES PAUL PARK. CALL IT VOLUNTEER PARK NOW.

HIGH SPRINGS DEBT LIMIT
VOTE YES
YOU CONTROL DEBT
AMENDMENT 1 on LAST PAGE
 THIS WOULD PUT FUTURE DEBT CONTROL WITH VOTERS

EXHIBIT "C"



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
Telephone: (850) 922-4539
Fax: (850) 921-0783

June 10, 2013

The Honorable Robert J. Barnas
20147 NW 257th Terrace
High Springs, Florida 32643

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Barnas:

The Florida Elections Commission has received your complaint alleging violations of Florida's election laws. I have reviewed your complaint and find it to be legally insufficient.

In your complaint, you essentially allege that Respondent's organization, Concerned Citizens for a Better High Springs, is a political committee, and that Respondent should have registered it, appointed a treasurer and a registered agent, and filed reports disclosing the group's expenditures. I find this complaint to be legally insufficient because you did not provide sufficient evidence that Concerned Citizens for a Better High Springs is a "political committee" as the term is defined by Section 106.011(1)(a), Florida Statutes.

In order to meet the definition of a "political committee," a group must make expenditures in excess of \$500 "that expressly advocate the election or defeat of a candidate or the passage or defeat of an issue." There is no cost to create a Facebook page or to post information to a Facebook page, so the Facebook postings referenced in the complaint do not represent expenditures. In addition, the flier and the newspaper advertisement included with the complaint do not use words of express advocacy such as "vote for..." "vote against..." or "elect," with respect to a particular candidate or issue and, as such, they are not "political advertisements" or expenditures that otherwise render the group a political committee.

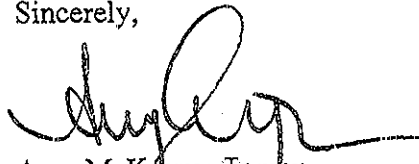
Because Concerned Citizens for a Better High Springs is not a "political committee" as that term is defined in Ch. 106, Florida Statutes, it was not required to register, appoint a treasurer or registered agent, or file disclosure reports. The group also does not meet the definition of an "electioneering communications organization" because the exhibits provided with the complaint are not "electioneering communications" (See Sections 106.011(18) and (19), Florida Statutes.) As such, this complaint is legally insufficient.

If you have additional information to correct the stated ground(s) of insufficiency, please submit it within 14 days of the date of this letter. If the additional information corrects the stated ground(s) of insufficiency, I will notify both you and the Respondent. If you submit an additional statement containing facts, you must sign the statement and have your signature notarized. In addition, any additional facts you submit to the Commission must be based on either personal information or information other than hearsay.

Until this case is closed, section 106.25(7), Florida Statutes, provides that the Respondent may not disclose this letter, the complaint, or any document related to this case, unless he or she waives confidentiality in writing. To waive confidentiality, the Respondent must mail or fax a written waiver of confidentiality to Donna Ann Malphurs at the address or fax number listed above.

If you have any questions concerning the complaint, please contact us at fec@myfloridalegal.com.

Sincerely,



Amy McKeever Toman
Executive Director

AMI/dam

cc: Paul R. Regensdorf, Attorney for Respondent, w/out complaint

EXHIBIT "D"



FLORIDA ELECTIONS COMMISSION

107 W. Gaines Street,
Collins Building, Suite 224
Tallahassee, Florida 32399-1050
(850) 922-4539

June 28, 2013

Paul Regensdorf, Esquire
Holland & Knight
50 North Laura Street
Jacksonville, FL 32202

RE: Case No.: FEC 13-125; Respondent: Sharon L. Yeago

Dear Mr. Regensdorf:

On June 10, 2013, the Florida Elections Commission notified Robert J. Barnas that the complaint he filed on April 3, 2013 was legally insufficient. Since the Commission did not receive any additional information that corrected the stated grounds of insufficiency, the case has been closed.

Please let me know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy McKeever Toman".

Amy McKeever Toman
Executive Director

AMT/dam

cc: Robert J. Barnas, Complainant

RECEIVED JUL 02 2013

EXHIBIT "E"

STATE OF FLORIDA
FLORIDA ELECTIONS COMMISSION

AFFIDAVIT OF RESPONDENT SHARON YEAGO

PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED AUTHORITY, the within named Sharon L. Yeago who, after being duly sworn on oath stated as follows:

1. My name is Sharon Yeago and I have lived in the High Springs, Florida area for the last fourteen years. My current residence address is 21120 Northwest 132 Lane, High Springs, Florida 32643.

2. I have personal knowledge of each and every fact set forth in the following affidavit and each statement contained herein is true and correct.

3. I am the Respondent in case number 13-125 before the Florida Elections Commission, in which the complainant, Robert Barnas, alleged that I, and the group that I and hundreds of citizens are a part of - Concerned Citizens for a Better High Springs - in some way violated the Florida Election Code by expressly advocating either for or against an issue, or for or against a candidate on the November 2012 ballot in the City of High Springs.

4. For the last thirteen years, my principal occupation has been that of a consultant, grant writer, program manager and educator in supporting Florida farmers and farmers markets and in providing healthier more local food products to low income Florida residents.

5. As such, my work brings me in contact with government and quasi-government agencies from the federal level to the county and municipal level. I have worked, on a nonpartisan basis, with and for such organizations as national nonprofits and federal agencies, regional health planning councils, county departments of health, municipalities, community redevelopment agencies, the University of Florida, Institute of Food and Agricultural Sciences,

as well as the City of High Springs. In 2000, the then-elected High Springs City Commission asked me to develop and manage a community farmers market which opened in March 2001 and which I successfully managed for the City of High Springs until 2008. Further, in 2006 I wrote a grant, on behalf of the City, which was funded to create the High Springs Food Security Project which provided access to healthy locally grown food to those low income citizens on SNAP (Supplemental Nutrition Assistance Program), formerly known as Food Stamps. This was the first program of its kind in Florida. My work with the City of High Springs brought positive publicity and visitors to the City on a regular basis and I enjoyed a positive working relationship with city staff and commissioners.

6. In those various capacities, my reputation and carefully developed relationships with the many public, private and governmental organizations with whom I work is critical to my career and such an investigation on allegations as described by Mr. Barnas, even though false, had the potential, even slightly, to damage my professional reputation.

7. I have known Mr. Barnas for a number of years, and he both knows me personally, and is well-acquainted with my business and profession as above-described, including my work with the High Springs Farmers Market.

8. When I first received notice that I had been singled out by Mr. Barnas as the target of his Florida Elections Commission Complaint, I was stunned as well as concerned as to what such a complaint with a State Elections Commission might do to my professional reputation.

9. When I carefully reviewed Mr. Barnas' Complaint and the many attachments which purported to support his allegations, I became personally confident that any fair review of his Complaint would come to the immediate conclusion that there was absolutely no factual or

legal basis for his charges as I had taken absolutely no position, let alone "express advocacy" with respect to any issue on the November 2012 ballot, or with respect to the election of any position on the November 2012 ballot. I, and other members of the Concerned Citizens for a Better High Springs, had been exceedingly careful not to do so. The legitimate concerns that the Concerned Citizens group and hundreds of residents in High Springs had expressed in the thoughtful guiding principles and Mission Statement delineated in my Response to Mr. Barnas' complaint conclusively establish that Mr. Barnas' unsupported -- and unsupportable -- charges on violations of the Election Code were false and were easily known by him to have been categorically false. I believe that his motive was malicious, vindictive, reckless and actionable under the Election Code, Florida Statute §106.265(6) and this Commission's Rules.

10. Nevertheless, as a layperson in these matters and to ensure that my professional reputation would be protected at the highest level, I retained the highly-reputable law firm of Holland & Knight, through its Partner, Paul Regensdorf, Esquire, for the purpose of ensuring that this frivolous Complaint was handled in the most efficient and effective manner by filing a detailed Response to the Complaint to ensure my professional credibility was not impaired.

11. I was informed before filing my Response to the Complaint that there is a provision in Florida law which allows an individual in a position such as myself to seek attorneys' fees back against a complainant if the complaint is without merit, false, malicious, and clearly and convincingly without any justiciable issue of law or fact, which I believe clearly describes this current action.

12. Mr. Barnas' Complaint, along with its many attachments, has now been properly found by the Commission to be just that -- legally insufficient. I have directed my counsel to prepare, pursuant to Rule 2B-1.0045 of this Commission's rules, a Petition for Attorneys' Fees to

be submitted in accordance with Rule 2B-1.0045 and Florida Statute §106.265(6) to recover such reasonable attorneys' fees and costs as this Commission and/or the Division of Administrative Hearings shall assess as a reasonable amount for fees and costs.

13. Prior to authorizing and directing the filing of this Petition, I discussed with members of the Steering Committee of the Concerned Citizens for a Better High Springs specifically two of the four Guiding Principles which in fact motivated the formation of this Concerned Citizens group. Those principles are:

Principle Three: There must be a commitment to restore civility and fairness to the manner in which city government is conducted and to the manner in which its elected officials interact with city staff and with residents.

Principle Four: There must be a commitment to restore the reputation of High Springs city government as responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the city's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

14. I do not believe that this Petition gives even the slightest hint or suggestion that the filing of this Petition is in any way akin to the frivolous and legally insufficient Complaint filed by Mr. Barnas in this matter. Upon deep reflection, however, it was recognized that Mr. Barnas, who proudly proclaims that he is currently (and was at relevant times hereto the Vice Mayor) an elected City Commissioner of the City of High Springs, has chosen to file a number of complaints against citizens and public officials in the High Springs area, usually without any basis whatsoever and usually dismissed as being legally insufficient. I have not gone out of my way to file any sort of offensive complaint against Mr. Barnas for the improprieties of his reflected in his Complaint before this Commission nor initiated in any way any investigation into the legality of his conduct by virtue of the fact that he filed a Sworn Complaint, under penalty of perjury, that was knowingly false and known by him to be false. Indeed, the very complaint

form submitted by Mr. Barnas, sworn and notarized, contains the black-box legend just below the notarial, *"Any person who files a complaint while knowing that the allegations are false or without merit commits a misdemeanor of the first degree, punishable as provided in Sections 775.-82 and 775.083, Florida Statutes."*

15. However, this Commission by its own rules and the Florida Legislature by its statutes have specifically directed that when a false and reckless complaint is filed and is found to be wholly wanting, legally insufficient, and without basis in the law or fact, such as Mr. Barnas', it is for this Commission and under certain circumstances, the Division of Administrative Hearings, to determine whether fees and costs should be assessed against the Complainant.

THEREFORE, I respectfully request that this Commission consider the Petition to which this Affidavit is attached, perform the legal obligations imposed upon this Commission by the Legislature of the State of Florida, and take such action with respect to the Petition for Attorneys' Fees as the Commission feels is just and appropriate in accordance with the laws of the State of Florida and the Rules of this Commission.

FURTHER AFFIANT SAYETH NOT.


Affiant's Signature

STATE OF FLORIDA
COUNTY OF ALACHUA :

The foregoing instrument was acknowledged this 9th day of July, 2013, by Sharon Yeago, who is personally known to me or who has produced FLORIDA D.L. as identification.

Witness my hand and official seal, this 9 day of July, 2013.



Marilyn Vanover
Notary Public
Printed Name
of Notary MARILYN VANOVER

Commission Expires: 4-29-14

Commission Number: DD 967079

EXHIBIT "F"

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

September 30, 2012

MEDIA CONTACT:

Sharon Yeago
386-418-8017 phone
352-256-8115 cell
Sharon@yeago.net

CITIZEN GROUP GAINS MOMENTUM IN SUPPORT OF GOOD POLICY FOR HIGH SPRINGS

HIGH SPRINGS, FL -- A High Springs citizen group is gaining momentum in its effort to effect good policy decisions by local government. **Concerned Citizens for a Better High Springs**, a newly formed nonpartisan, nonpolitical group hopes to effect positive change through education and advocacy for better policy decisions by elected officials.

In the first 48 hours since announcing its Mission and Guiding Principles through email and Facebook, more than 50 local residents, businesses and others invested in the City of High Springs have signed on to support the group's mission and key principles that provide for professional, experienced management of the City of High Springs and restoration of long-held standards of governing that include a comprehensive budget process and restoring High Springs' reputation as a fair and open government that is inclusive, open and fair.

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort by email at hscitizens@gmail.com or 'Liking' the group on Facebook at <http://tinyurl.com/bosjqm3>. A current list of supporters can be requested by email at hscitizens@gmail.com.

High Springs resident **John P. Manley, III** states as the reason for the group's formation, "This group of citizens came together out of a deep concern for the City of High Springs. The City is at a crossroads. The constant infighting and bickering and dissention between factions, representing divergent views of the role and vision for the City, is destroying any forward progress for the City; and, conversely, is actually pushing the City backwards to the point that the City will no longer be a viable, functioning seat of government. We feel it is important to put any history aside, and build a broader, more encompassing plan for the future of High Springs that the majority of the Citizens can get behind and work to make happen."

The group's mission statement reads, "**Concerned Citizens for a Better High Springs supports a local government with professional management that provides leadership, accountability and vision for our future.**"

The group developed four **Guiding Principles** that it is using to educate the community:

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City;

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility;

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents;

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens.

Concerned Citizens for a Better High Springs continues to seek local residents, business owners and others invested in and supportive of its goals to sign on to show public support for this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>

##

CONCERNED CITIZENS FOR A BETTER HIGH SPRINGS

MISSION STATEMENT

Concerned Citizens for a Better High Springs supports a local government with a commission and professional management that provide leadership, accountability and a vision for our future.

GUIDING PRINCIPLES

Principle One: There must be a commitment by the Commissioners and the citizens to restore professional, experienced and accountable management to the City

Principle Two: There must be a commitment to restore a comprehensive budgetary process that addresses both short and long term core needs and brings the City back to fiscal responsibility

Principle Three: There must be a commitment to restore civility and fairness to the manner in which City government is conducted and to the manner in which its elected officials interact with City staff and with residents

Principle Four: There must be a commitment to restore the reputation of High Springs City government as a responsible, caring and fair government. This commitment must encompass relations with government entities at all levels, with the City's staff, with business owners, with the public-at-large, with the media, and most of all with its own citizens

We the People... Concerned Citizens for a Better High Springs are looking for local residents, business owners and others invested in and supportive of these Principles to join this effort. For more information, or to sign on as a supporter of Concerned Citizens for a Better High Springs, email hscitizens@gmail.com or visit them on Facebook at <http://tinyurl.com/bosjqm3>

Stefi Hulin Affron
Ross Ambrose
Shari Asbury
Jeannette Banks
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Susan J. Beck
Marilyn Bennett
Karen Bentz
Stacey Breheny
Sharon Brütton
Jay Bromenschenkel
John Caldwell
Thomas G Clarich
Dawn Lange Drumm
Ronald DuPont, Jr.
Enchanted Memories
Flying Fish
Grady House Bed & Breakfast
Laura Graetz
Randy Graetz

Patricia Grunder
Linda Hewlett
Tom Hewlett
Linda Jones
Sharon Kantor
Barbara Kowats
Arlene Dorin Levine
Gene Levine
Nancy Linkous
Tim Linkous
John P Manley III
Cindy MacKinnon
Ed MacKinnon
Karen Clarich Matheny
Sanford Matheny
Dr. Tony Matheny
Robert McClellan
Thomas McDonald
Barbara Martin
Herb Matilsky
Barbara G Miller

Donna Mogler
Henry Mogler
Genie O'Brien
Pampered Pets
Andy Phillips
Christian Popoli
Lucie Regensdorf
Paul Regensdorf
Maggie Riggall
Sanna Saare
Dorsey Travis
Larry Travis
Damon Watson, Pro Realty of
Gainesville, Inc.
Mike Williamson
Charlette Wilson
Sonja Moore Wilson
Jim Wood
Sally Wood
Sharon Yeago

EXHIBIT "G"

Front Page Faith Funny Facts

POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/8/2013 7:00PM



THE NEWS IN PRINT IN HIGH SPRINGS

For sometime I have been critical of the local monthly or weekly Tabloids and Talk radio. The false information printed and the hypocritical OK if we do it, but not OK if you do it radio.

The last few editions of the Observer had Eric May report as a guest. It seems he is missing in this issue. Maybe he is busy working over at Ozean in Alachua getting the Talk of the Town radio station up and running with an on line version, after it was booted of the air at 99.5.

Seems Ward Scott didn't like the change that was coming and once again let his mouth fire first before his brain.

I have pictures of piles of Observers and the Alachua Todays just sitting all over town.. No one reading or buying them. Wonder why? Has the public finally discovered that most that has been written in the past on politics was junk, biased and generally poor reporting, and hurtful to High Springs? So why read it, or advertise in it?

When Dean Davis was accused, both Tabloids had no problem printing hundreds of words how Dean was accused falsely of things. They both used his name repeatedly along with mine and Linda Gestrin.

Well this June edition of the Observer on page 5 had a tiny paragraph that stated Dean Davis has been cleared now and in the past of any wrong doing. Stuck inside not on the cover. And of course no name of who filed it. I understand the Observer owner "worked" for Ron Langman (husband of the terminated city manager Jeri Langman) at one point. His name was plainly not mentioned as THE person who had Alachua attorney Linda Rice Chapman file the Florida Ethics complaint for him. Why not? Or at least that is what was said to have happened.....

The question is did the Observer owner OMIT facts cause someone told her to? Was she a puppet? Or was it just cause she had full control and power of what to print and who to rip or not rip?

The Alachua Today reported nothing on Dean Davis being cleared.

The Alachua Today has less good news and since politics is quiet, no one reading that thing either. Only thing keeping that rag alive is ads from the City of Alachua and the national chain and local grocery insert. Its on line edition is a mess. And virtually dead.

**The people who use to read the Observer, the Alachua Today and listened to Talk radio, are now seeing the truth that the paper's ONLY mission was to disgrace and embarrass SELECT commissioners.
As was the mission of that Talk radio show.**

**If all remains the same, we will never see the truth printed in these tabloid.
And the online version of Talk will continue its hypocrisy...**

Now for one more paper.

The Gainesville Sun is now CHARGING to read its on line edition. Wonder if anyone is paying up?

As new social media is being born daily, the old radio and news print is dying. And new technology must be done right not half ass.

Adapt or die...

But to adapt would take smarts and/or talent...

So what is left?

This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King. .
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EXHIBIT "H"

Front Page Faith Funny Facts

POSTING THE TRUTH ONCE AGAIN AND MORE

updated 6/12/2013 7:00PM



A comment on Florida Statute

When an attorney and a Plaintiff are offered a pile of money to end a lawsuit and they just file more complaints, is there ever an end in sight?

Well there is a Florida Statute 112.3187 (9)d. that says:

(d) Payment of reasonable costs, including attorney's fees, to a substantially prevailing employee, *or to the prevailing employer if the employee filed a frivolous action in bad faith.*

So what happens if a judge or jury rules a lawsuit is frivolous?
I think this has happened in the past in a civil case I read.
An attorney in 2002 was ordered to pay \$11,030.36 to a Defendant.

This website will be posting stories, pictures, videos and comments to local newspapers that have blogs and websites. I will also be commenting after city commission meetings/workshops or CRA meetings keeping the public informed of the events and happenings at your city hall, public record of city business and more. And I admit I am the typo King. .
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