

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

In re ROY SIEGER,)
)
 Respondent.)
_____)

Complaint No. 25-234

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

On Friday, January 23, 2026, 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 Darlene Shelley of Palm Coast, Florida.
2. The Respondent, Roy Sieger, is allegedly the Director of the Flagler Executive Airport.
3. The complaint alleges Respondent has prioritized the interests of pilots, aircraft owners, and flight school operators over the safety, health, and welfare of Palm Coast residents. Pursuant to the complaint, "[h]is actions and inactions have exacerbated incompatible land use development around the airport, excessive and constant noise pollution, and toxic lead and

chemical emissions, are a public nuisance and allow for potential unlawful takings." Specifically, the complaint contends:

a. Respondent failed to enforce zoning regulations, which has led to residential encroachment in Palm Coast.

b. Respondent has permitted excessive training flights, including low-altitude touch-and-go maneuvers, without appropriate mitigation, like noise abatement measures.

c. Respondent has retaliated against those that complain about him; for example, after Complainant lodged multiple complains and concerns, her home "has become a target of excessive numbers of low flying aircraft" that emit toxic chemicals and nuisance levels of noise.

d. Respondent presented inaccurate information and incomplete data to secure funding for the airport through grants.

e. Respondent has failed to implement landing fees and maintains below-market hangar rental fees, which benefits pilots, hangar tenants, and flight schools at taxpayer expense.

f. Respondent has misled the public by stating lead testing results indicate minimal lead exposure, but the completed tests were limited to only four areas of airport property and included no water testing, sustained air sampling, or leachability analysis. Respondent also lied during an October 2024 Flagler County Commissioner's meeting by implying the airport lacked the authority to make the changes the residents were allegedly demanding.

4. The Commission on Ethics has jurisdiction to investigate only those allegations "based upon personal knowledge or information other than hearsay." § 112.324(1)(a), Fla. Stat. Complainant appears to live in the vicinity of the airport, and states she has witnessed certain things such as low-flying aircraft, which amounts to personal knowledge. She also included a 2025 Lead Exposure Assessment Report from the Flagler Executive Airport, which would likely fall

under either the business records and/or public records exception to the hearsay rule. § 90.803(6), (8), Fla. Stat. However, even if all allegations are considered on their merits, they do not provide a legally sufficient basis for investigation for the reasons explained below.

5. Section 112.313(6), Florida Statutes, is implicated by allegations in the complaint.

Section 112.313(6) states:

MISUSE OF PUBLIC POSITION.--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.

Section 112.313(6) prohibits public officials and employees from corruptly using or attempting to use their official positions or property or resources within their trust, and it prohibits them from corruptly performing their official duties, in order to secure a special privilege, benefit, or exemption for themselves or another.

6. The complaint substantively fails to indicate a possible violation of Section 112.313(6). To indicate a possible violation of the statute, a complaint must allege, in a factual, substantive, nonconclusory manner, that a respondent corruptly used or attempted to use his public position or resources within his public trust, or that he corruptly performed his official duties, in order to specially benefit himself or another; it is not enough that a detriment to a complainant or another is alleged.

7. To the extent the complaint alleges Respondent failed to enforce zoning regulations, permitted excessive training flights, retaliated against complainants, and misled the public during public meetings, the complaint fails to allege any resulting benefits to Respondent or any other person or entity. Though Complainant indicates a number of detriments to herself and other Palm Coast residents, those alleged detriments, standing alone, do not form a sufficient basis to allege a violation of Section 112.313(6).

8. To the extent the complaint alleges Respondent presented inaccurate information and incomplete data to secure funding for the airport through grants, the complaint fails to state with specificity what inaccurate information was provided, what grant money was awarded, and that Respondent himself was the proponent of the inaccurate information. Without this specific information, the complaint fails to allege a violation of Section 112.313(6), Florida Statutes.

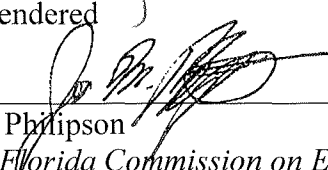
9. To the extent the complaint alleges Respondent failed to implement landing fees and maintains below-market hangar rental fees, the complaint fails to prove these decisions amount to a misuse of Respondent's public position. To the contrary, these business decisions appear to be squarely within Respondent's job duties as the Director of the Flagler Executive Airport. For these reasons, the allegations in the complaint do not form a sufficient basis to initiate an investigation under Section 112.313(6).

10. We also find the allegations in this complaint cannot constitute a violation of the prohibition currently found in Article II, Section 8(h)(2) of the State Constitution because, even if accepted as true, they do not identify in a factual, nonconclusory manner, any disproportionate benefit to Respondent, Respondent's spouse, children, or employer, or any business with which Respondent contracts, in which he is an officer, partner, director, or proprietor, or in which he owns an interest, as would be needed to constitute a violation of the constitutional prohibition.

11. To the extent the complaint alleges Respondent violated Chapter 333 of the Florida Statutes, the Florida Department of Transportation Guidebook, the Federal Aviation Administration Advisory Circular 150/5190-4B, these rules, laws, and statutes are not within the Commission's jurisdiction.

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 Friday, January 23, 2026.

January 28, 2026
Date Rendered

Jon M. Philipson
Chair, Florida Commission on Ethics

JMP/sen

cc: Mr. Roy Sieger, Respondent
Ms. Darlene Shelley, Complainant