

BEFORE THE
STATE OF FLORIDA
COMMISSION ON ETHICS

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

Complaint No. 26-009

PUBLIC REPORT AND ORDER DISMISSING COMPLAINT

On Friday, March 6, 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 Anna Jones of Palm Coast, Florida.
2. The Respondent, Roy Sieger, is the Airport Director for the Flagler County Airport in Palm Coast, Florida.
3. The complaint alleges that Respondent has engaged in a pattern of retribution against residents who speak out about noise and other alleged safety and FAA violations by flight schools operating at the Airport. The complaint alleges that while two separate Airport leaseholders who have gone against Respondent have been evicted, the flight schools do not get punished for the various safety and FAA violations.

4. The Commission on Ethics has jurisdiction to investigate only those allegations "based upon personal knowledge or information other than hearsay." See Section 112.324(1)(a), Florida Statutes (requiring an allegation to be based on personal knowledge or information other than hearsay to be legally sufficient for investigation). The allegations in paragraph 3 do not appear to be based on personal knowledge or information other than hearsay, as the source of these allegations appear to be news articles regarding the tenants who were allegedly evicted from the Airport. These news articles likely constitute inadmissible hearsay and thus cannot form the basis of an investigation into these allegations. Additionally, Complainant does not explain the basis for her knowledge that the flight schools do not get punished. As such, the Commission cannot determine whether this allegation is based on personal knowledge or information other than hearsay. However, even accepting the allegations as true, they do not provide a legally sufficient basis for investigation as explained below.

5. Section 112.313(6), Florida Statutes, is the only statutory prohibition over which the Commission has jurisdiction that is relevant to the allegations in paragraph 3. 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.

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.

6. The complaint substantively fails to indicate a possible violation of Section 112.313(6). Here, while Complainant has alleged a detriment to the tenants who were evicted from the Airport for challenging Respondent, Complainant fails to allege how these evictions benefitted Respondent or anyone else with whom he has a close-capacity nexus. Regarding the allegation that Respondent is not responsive to citizen complaints concerning alleged violations by the flight schools at the Airport, there is no indication that Respondent, as a County-level official, has the ability to enforce federal safety regulations. Complainant even states in the complaint that she was told by a Sheriff's Deputy to "call the FAA," indicating her awareness that federal violations are not within Respondent's authority. For these reasons, the allegations in the complaint do not form a sufficient basis to initiate an investigation under Section 112.313(6).

7. The complaint also alleges that Respondent's office keeps the Airport tenant waiting list private, unlike other airports.

8. The allegations in paragraph 7 appear to be based on personal knowledge, as Complainant was personally told by someone in Respondent's office that the list is private. However, even accepting the allegations as true, they do not provide a legally sufficient basis for investigation as explained below.

9. Section 112.313(6), Florida Statutes, is the only statutory prohibition over which the Commission has jurisdiction that is relevant to the allegations in paragraph 7. The complaint

substantively fails to indicate a possible violation of Section 112.313(6). Here, Complainant fails to allege how keeping the tenant list private benefits Respondent or anyone else with whom he has a close-capacity nexus, as is required to show a violation of the statute. For this reason, the allegations in the complaint do not form a sufficient basis to initiate an investigation under Section 112.313(6).

10. The complaint also alleges that the County established a complaint portal regarding the Airport in June of 2024. The complaint alleges that after Complainant and others filed multiple complaints, Respondent and the County stopped the complaint portal, and, at a meeting, lied and said only a handful of people complained. The complaint alleges that the real reason the portal was shut down is because the County was receiving too many complaints.

11. The allegations in paragraph 10 appear to be based on personal knowledge to the extent Complainant personally submitted complaints to this portal and even states she received a response from Respondent on one of them, which is attached to the complaint. Although hearsay, this response would likely be admissible under the "Admissions" hearsay exception found in Section 90.803(18), Florida Statutes. Complainant also points to the comment made at the meeting about why the portal was shut down. As it is unclear who exactly made the comment or if Complainant was present at the meeting, the Commission is unable to determine whether this specific allegation is based on personal knowledge or information other than hearsay. Regarding the allegation that the real reason the County shut the portal down was because they received too many complaints, this appears to be speculation, rather than being based on personal knowledge or information other than hearsay, and cannot form the basis of an investigation. However, even accepting the allegations as true, they do not provide a legally sufficient basis for investigation as explained below.

12. Section 112.313(6), Florida Statutes, is the only statutory prohibition over which the Commission has jurisdiction that is relevant to the allegations in paragraph 10. The complaint substantively fails to indicate a possible violation of Section 112.313(6). Here, Complainant fails to allege how shutting down a complaint portal personally benefitted Respondent or anyone with whom he has a close-capacity nexus, as would be required to prove a violation of the statute. To the extent Complainant insinuates shutting down dissent is a benefit, such an allegation is too conclusory and speculative to support an investigation. Furthermore, the allegation that the portal was shut down due to a high number of complaints, rather than a low number of complaints, is also speculative in nature. For these reasons, the allegations in the complaint do not form a sufficient basis to initiate an investigation under Section 112.313(6).

13. The complaint also alleges that the "worst culprit" of the Airport noise is Embry-Riddle Aeronautical University's flight school, Respondent's alleged alma mater. The complaint alleges that Complainant saw students from the school volunteering for an event at the Airport, and concluded "there's CLEARLY a relationship," between Respondent and the flight school. Additionally, the complaint alleges that when Complainant requested records concerning the budget of the event, the County charged her \$118/hour for a minimum of 3 hours for the records.

14. The allegations in paragraph 13 appear to be based on personal knowledge to the extent Complainant states she personally attended the Airport event and saw the students there. Complainant also states she lives near the Airport and is aware of what entities create noise as a result. Additionally, Complainant attached an email from the County regarding the cost of the event budget records. Although hearsay, this email would likely be admissible under the "Public Records and Reports" hearsay exception found in Section 90.803(8), Florida Statutes. Regarding the allegation that Respondent attended Embry-Riddle Aeronautical University, Complainant

states she became aware of this through Respondent's LinkedIn page. Although hearsay, Respondent's posts on his LinkedIn page would likely be admissible under the "Admissions" hearsay exception found in Section 90.803(18), Florida Statutes. However, allegations concerning a "relationship" with the school are speculative. Nevertheless, even accepting the allegations as true, they do not provide a legally sufficient basis for investigation as explained below.

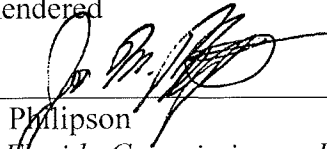
15. Section 112.313(6), Florida Statutes, is the only statutory prohibition over which the Commission has jurisdiction that is relevant to the allegations in paragraph 13. The complaint substantively fails to indicate a possible violation of Section 112.313(6). Here, Complainant fails to affirmatively allege any special benefit Respondent has provided to Embry-Riddle Aeronautical University. Rather, Complainant speculates that there must be some "relationship" because Respondent happened to attend the same flight school. That Respondent happened to attend the same flight school indicates a past relationship between Respondent and the School, but in no way supports an ongoing or continuing relationship as would be necessary to establish the close-capacity nexus required by Section 112.313(6). Regarding the allegation that the County asked Complainant to pay for records related to the Airport event, it does not appear this was an action specifically taken by Respondent, and therefore fails to allege a use of Respondent's position. And, it is customary for government entities to charge fees for large and time consuming records requests. For these reasons, the allegations in the complaint do not form a sufficient basis to initiate an investigation under Section 112.313(6).

16. We also find the allegations in paragraph 3, 7, 10, and 13, above, 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 the Respondent, the Respondent's spouse, children, or employer, or any

business with which the 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.

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, March 6, 2026.

March 11, 2026
Date Rendered

Jon M. Philipson
Chair, Florida Commission on Ethics

JMP/aln

cc: Mr. Roy Sieger, Respondent
Ms. Anna Jones, Complainant