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Fanning Springs leaders enter plea-negotiated agreement *Adjudication of guilt withheld fines and costs are \$350 for each defendant*

By Jeff M. Hardison © Feb. 2, 2016 @ 5:27 p.m.

*** Updated Feb. 3, 2016 @ 10:07 a.m.**

BRONSON -- Three Fanning Springs City Council members entered plea-negotiated agreements Tuesday (Feb. 2) to charges that they violated the Florida Statute 286.011, the Sunshine Law, in relation to open meetings, according to reliable sources, including one of the defendants.

Eighth Judicial Circuit State Attorney William P. "Bill" Cervone on Jan. 26 had filed information with the office of Levy County Clerk Danny Shipp charging the three Fanning Springs City Council members with a second degree misdemeanor, according to records.

Councilman Ronald Queen, 79, Councilwoman Barbara Locke, 78, and Councilwoman Jane Nogaki, 72, were the accused. Councilwoman Locke is not the Barbara Locke who is the administrator for the Levy County Health Department.

According to the charging document, the three members of the Fanning Springs City Council knowingly attended a private meeting with each other, and this meeting was not in accordance with the requirements of the law where the meeting was open to the public.

This allegedly private meeting happened on or about Sept. 21, 2015. One piece of evidence of this meeting is a tape recording of the conversation, where they spoke about public business, but not so the public could hear the conversation.

The tape was made by City Clerk Sheila Watson who had turned on the machine for taping the regular City Council meeting, before the meeting started.

The three City Council members were sitting at the large desk in the City Council Meeting Room of Fanning Springs City Hall at the time.

Although they had been scheduled for first arraignment on Feb. 16, they made the plea deal with the state. Levy County Court Judge James T. "Tim" Browning accepted the plea of "no contest" and he withheld an adjudication of guilt.

A plea of "no contest" is not saying the defendant is agreeing with the state that they are guilty, however they do concede that the state has enough evidence to move forward with the charge and it could go to trial.

With fines and court costs, each defendant is paying \$350. They are all able to say they were not adjudicated guilty of this crime.

In a telephone interview with HardisonInk.com on Tuesday evening, Councilwoman Nokgaki said the defendants through their various attorneys let the judge know there was no intention by any of them to keep the process of their making a decision for a vote on budget matters out of the view of the public. They were just conducting business in a due-diligence manner as they thought was proper, Nogaki said.

The three Fanning Springs City Council members now have a better understanding of the Sunshine Law, Nogaki said.

Since these three individuals were charged with a second degree misdemeanor, if they had been convicted, then the maximum penalty that could be imposed by a judge is a fine not to exceed \$500 or by imprisonment in the county jail for a period not to exceed 60 days.

Florida's Government-In-The-Sunshine Law provides the public with a right of access to governmental proceedings. In this instance, the three people are elected officials who decide matters for the city of Fanning Springs. The public has a right to hear all of the conversations between them leading up to them making decisions as members of the City Council.

*** Updated**

Councilwoman Locke said she wanted to make a statement about this matter.

"Please know," Locke said, "it is, and will remain, our intention to serve our constituents in Fanning Springs to the best of our abilities."