

# MIAMI-DADE COUNTY COMMISSION ON ETHICS AND PUBLIC TRUST



In Re: Joshua Fuller

C 22-12-02

## PUBLIC REPORT AND FINAL ORDER

Complainant Frances Neuhut (Neuhut), a resident of the Town of Bay Harbor Islands (BHI), filed this complaint against BHI Mayor Joshua Fuller (Fuller). Neuhut alleged that Fuller *possibly* ignored Section 5 of the Citizens' Bill of Rights, *Right to be Heard*, on January 19, 2022, by allegedly failing to allow her an opportunity to speak regarding an appeal she allegedly filed with the Town, specifically Item No. 17 on the BHI Town Council's January 19<sup>th</sup> Meeting Agenda.

Limited inquiry revealed that on January 19, 2022, the BHI Town Council held its rescheduled regular Council meeting, at which Neuhut addressed the Town Council during public comment and again specifically on Agenda Item No. 17.

Legal sufficiency exists where the complaint adequately alleges a violation of an ordinance within the jurisdiction of the Ethics Commission, committed by an individual within the authority of the Ethics Commission, based substantially on the personal knowledge of the complainant and filed with the Ethics Commission within three years of the alleged violation.

The facts reflect that Neuhut addressed the BHI Town Council on Agenda Item No. 17. Therefore, Neuhut exercised her right to be heard at the January 19, 2022, BHI Town Council Meeting.

On April 13, 2022, the Ethics Commission voted unanimously to dismiss the complaint for lack of legal sufficiency.

Wherefore it is:

**ORDERED AND ADJUDGED** that COMPLAINT C 22-12-02 against Respondent is hereby dismissed.

**DONE AND ORDERED** by the Miami-Dade County Commission on Ethics & Public Trust in public session at the public meeting held on April 13, 2022.

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

By:

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*Dr. Judith Bernier*  
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Dr. Judith Bernier  
Chair

Signed on: \_\_\_\_\_ 4/19/2022

cc: Respondent and Complainant