

# Engagement Survey 2025

Reported on 10/29/2025

Data from 06/19/2025 - 10/30/2025

**MELBOURNE BEACH,  
FLORIDA**

(1)

- 1 Yes, my manager and my peers are a wonderful team who help each other. We work great together. We all wear many hats at work.

**If you answered yes to the above question, please explain. (13)**

- 1 I am been bullied by the Town Mayor. She makes false accusations and bad mouths employees.
- 2 I have been bullied by the mayor bully people in public meetings and in emails.
- 3 I have been accused of stealing by the Mayor and select commissioners have made accusations that I as well as other staff may not be telling the truth.
- 4 I have experienced various bullying in the workplace. The Mayor has bullied several co-workers. She has acted very unprofessional, and honestly hateful towards the staff. Even though staff doesn't deserve her mouthy attitude, she has cussed and belittled people who honestly didn't deserve any of it.
- 5 Mayor attacks
- 6 Mayor attacks us all, in person, in email, and on social media
- 7 Mayor Dennington acts unprofessional and repeatedly criticized my investigation when a crime didn't take place. She didn't like the answers she received from MBPD administrator, the Brevard Stste Attorney Office or FDLE. She accused me via email of "whitewashing" and investigation and closing it out too quickly. I pride myself on being thorough and unbiased. She sent emails to many people including the FDLE which I may one day have to answer questions if a good defense attorney tries to use against me in a future case. Also I feel these types of emails she's sent me could play a negative role in my career as I climb the ranks and am considered for promotions or outside employment with other agencies down the road. She was very unprofessional and exhibited poor judgment and leadership as the mayor. I've won many awards and been promoted during my time here at MBPD. She needs to stop causing unnecessary drama and stress to employees. I feel this was an attempt to bully me and an effort for her to change my report to fit her narrative.
- 8 NA
- 9 The Mayor bully's people frequently to include our bosses. She is unprofessional and embarrassing. Everything in her mind is litigation. She has zero leadership skills, is unethical and law suit happy.
- 10 The Mayor displays bullying during many public meetings and in emails.
- 11 The mayor has consistently belittled me.
- 12 The Mayor has had bullied me. She made false written accusations about the quality of my investigation and sent these emails to many people including FDLE. She has routinely bullied others and led to an increase in toxicity and unnecessary drama in the work place and in commission meetings.
- 13 Town Staff have all been great but I feel that I've been bullied by Mayor Dennington. She's insisted in filing cases for what she believed to be crimes when they weren't crimes. She's then sent unprofessional emails criticizing the quality of my investigation to not just supervisors, town staff but including members of FDLE. I feel she has violated my Officer Bill of Rights. Even after numerous legal professionals including my administration, the town manager and our local State Attorney Office said crime didn't occur that wasn't good enough for her so she contacted FDLE. Which also agreed with my investigation. Now I have these emails which are public record criticizing my work ethic and skills as a Law Enforcement Professional which may someday limpack a high profile case or prevent me from obtaining a promotion or employment elsewhere within the Criminal Justice career field.

## Have you ever witnessed another employee being bullied? If yes, explain. (16)

- 1 I have watched the Mayor belittle every employee in town hall for no reason.
- 2 I have witnessed the Mayor bullying and threatening staff members.
- 3 I've just heard about things but never witnessed it.
- 4 I've never witnessed Mayor Dennington bully employees of the town and accusing some staff members of theft and fraud. Her drama has led to a lack of confidence and stability in multiple employees and why some of them leave.
- 5 Mayor Dennington had criticized employees and department section heads of being thieves and committing fraud.
- 6 Mayor has attacked everyone with false claims
- 7 No
- 8 no
- 9 yes
- 10 yes
- 11 Yes - I have witnessed the Mayor belittle and be hostile to multiple employees both in Town Hall and in public meetings.
- 12 Yes, an employee was working with a individual dealing with their residence. She stuck her nose in and asked what they were doing and tried to rip the paperwork right out of the residence hands. When told she could have a copy if she wanted to review it, she meowed like a 5 year old and said whatever ! Very unprofessional. Taking videos of us when she comes to the window without asking for our approval, and than saying we are hiding information. The list goes on and one. She doesn't trust anyone and none of us have given her reason to be this way.
- 13 Yes, I have seen on recording of our commission meetings and in person of our Mayor trying to bully the employees of Town Hall.
- 14 Yes, I have witnessed her berate the department heads unprofessionally, she thinks that she is an expert on everything and is an embarrassment in the county. Everyone in the county when they hear about where we work states, Oh, that's the crazy mayor...
- 15 Yes, I have witnessed the Town Mayor bullying many employees. She verbally attacks employees when she does not get way. She makes false accusations about employees and bad mouths them.
- 16 yes, see previous

## The amount of work I am expected to do is reasonable. (20)

- 1 All employees are doing multiple jobs. We do not have enough staff to effectively and efficiently run a municipality.
- 2 Depends on the day and pressure put on my department by external forces such as the Commission (particularly Mayor) and residents.
- 3 Great Chief and Deputy Chief. Solid group of coworkers and others within the town.
- 4 I have a lot of work and all the records request we get backs it really hard to stay ahead of everything. Repeated records request and so many emails makes it hard to get my job done.

- 5 I, as are most employees here, am overworked and under paid. The employees are required to wear many hats and do many jobs. The employees do not get to be a master of one job, they must attempt to be knowledgeable at many jobs.
- 6 most of the time
- 7 The Town Manager allows her department heads and staff to do their job. The Mayor on the otherhand, micromanages and frequently steps out of her lane and drives the daily operations of the town.
- 8 Very reasonable with great administration. Would like switching our work schedules to a 3 on /2 off/2 off format so every other weekend is a three day weekend. This would impact work life balance for the better, reduce burnout.
- 9 Yes
- 10 Yes
- 11 Yes
- 12 yes
- 13 Yes
- 14 Yes
- 15 yes
- 16 yes
- 17 Yes
- 18 Yes
- 19 yes for my position.
- 20 yes, for my position

## How satisfied are you with the work environment? Please explain. (20)

- 1 Every where you turn, someone has just dealt with the unprofessionalism of the Mayor and is wanting to quit. Everytime she comes to the Town Hall, its like a tornado and employees are talked down to and threatened every single time.
- 2 For the most part, satisfied. Sometimes I wish we would get a chance for more input in decisions affecting the everyone.
- 3 Good place to work
- 4 I am generally satisfied when it comes to interacting with coworkers. However, the Mayor puts a frequent cloud over our heads with her behavior. Also, the literal environment (the building) is in serious disrepair. Particularly the leaks from the upstairs bathrooms and the ongoing mold upstairs throughout the common areas (gym, buddy room, bunk room).
- 5 I enjoy the team (employees) that I work with.
- 6 I like the employees and bosses I work for, but the continues commission interference is way overboard. I understand some questions and inquiries but to request information and then not agree with the numbers or information you provided is ridiculous,
- 7 I like work but wish we had a better schedule especially working these 12 hour shifts. A 3 on 2 off 3 on schedule makes sense and is something many officers would like. I personally would also enjoy the ability to have a neat, trimmed and professional beard. They currently aren't authorized. This is something other officers would also like.

- 8 I love all my co-workers, everyone here is supportive and caring for the staff
- 9 I'm very satisfied with the work environment and the personnel around me is very efficiency
- 10 My internal environment in Town Hall is a wonderful place to work but the Mayor and commissioners are making it very difficult for many people here to do their jobs and are making tensions high due to these external forces.
- 11 my work in Town Hall is very good. My work outside of TH
- 12 The employees are all great.
- 13 The Town Hall, Fire Department, Police Department, and Public Works work very well together.
- 14 The work environment is stressful. The Town Mayor and several commissioners constantly make unreasonable demands and keep employees from doing their job. The Town Mayor and commissioners interfere with daily operations and bog down the system.
- 15 Very
- 16 Very Positive work environment
- 17 very, I love everyone I work with in my department
- 18 We have a good team at MBPD. Great administrators who cares.
- 19 working in town hall is very good. I love my coworkers.
- 20 Yes team effort and we all are willing to help each other

### Provide any explanations referencing the above if needed. (11)

- 1 Elizabeth brought this town to a place where they were becoming proactive instead of reactive.
- 2 Elizabeth had been a great town manager. She is approachable, a good listener and truly cares about her peers, subordinates. She will be deeply missed as she embarks on a new career endeavor soon.
- 3 Elizabeth had been a wonderful town manager. Her presence will be missed. She's always been polite, had an open door and really cared for her employees. She has a very strong leadership traits that will be hard to replace when she departs for other endeavors.
- 4 I admire the town manager very much. Even knowing her contract is coming to an end she is working long hours to prepare the town for her absence. I have only worked here a few months and I am responsible for updating the town events and saving dates in the town calendar. She has prepared me by telling me hold this date for Founders Day, save this for Gemini Day, we usually do a Christmas parade on the second Saturday in December, etc. She is really a town manager to look up to and the town will definitely feel the impact of her absence.
- 5 I have felt from the moment I started working here like the Town Manager, Elizabeth Mascaro, goes to bat for her employees. She sets high expectations of us but does not allow the Commission to run roughshod over us. Her behavior sets the standard for the department heads.
- 6 Manager is great at keeping the team together
- 7 The accomplishments during this past five years are greatly attributable to the strong Town Manager
- 8 The Town Manager goes out of her way to make sure that you feel valued and appreciated as an employee
- 9 The Town Manager has done an amazing job. She is dedicated and her leadership has been great.

10 The Town Manager truly is a great person to work for. She is caring, considerate and wants her employees to have a great work life balance even though the mayor frequently micromanages/threatens her and thinks that people should work for free. This is not a town to be proud of and people do not want to work here.

11 Very good environment to be working

### Explain any of the above if needed. (12)

1 employees do not feel supported by Mayor and one Commissioner. they do not respect staff opinions and seem to constantly cast suspicions on the staff of wrong doing and corruption.

2 I feel the Mayor is what's holding the town back. She's condescending to peers, members of the public and really doesn't act in the best interest

3 I have no issue with the Commissioners.

4 I want to acknowledge that some of our commissioners are working hard and showing real dedication to their roles, and I appreciate the efforts they bring to the table. That said, I have serious concerns regarding the conduct and leadership of the Mayor. There appears to be a troubling pattern where, if the Mayor's preferences are not prioritized, certain departments or individuals face undue pressure or retaliation. This kind of behavior raises significant ethical concerns and undermines the integrity of our local government. Furthermore, I've seen little in the way of tangible progress or positive change under the current administration. Strong, principled leadership is essential — leadership that values all employees equally, not based on personal loyalty, but on merit and contribution to the public good. Unfortunately, that standard does not appear to be upheld at this time.

5 Mayor Dennington really holds this group back. She needs to stop interfering with day to day operations of employees and focus on representing her constituents. She's too busy representing her special interests. During commission meetings she talks about letting others finish speaking but cuts others off. She rambles making these meetings much longer and often sidetracks the meeting causing a waste of everyone's time. Commission needs to realize MBPD is still underpaid. Arguing to give us a 3 percent vs a 2.6 percent raise in a commission meeting is very sad and makes me feel unappreciated and undervalued.

6 Mayor shows no support for my department

7 The Mayor and current commission micromanage the employees and bog down the system with endless request and changes to current processes. They do not understand how government operates and do not trust the people who are employed in the positions.

8 The Mayor and most of the commission have no respect for the employees. They don't value the employee's work and the leadership skill they provide is short of embarrassing.

9 The mayor has no clue about leadership. she overtalks everyone and acts like a child when she does not get her way. the rest of the commission is too busy dealing with her antics to actually do their job.

10 The mayor has zero leadership skills, she leads through threats and unethical behaviors. She is immature and acts on fear of law suits and does not lead anyone. She is a bully and throws temper tantrums when she doesn't get her way or talks under her breathe . Complete immature behavior.

11 This commission will destroy the employees of Town Hall. They hate and venom they spread to the office is amazingly disrespectful

12 While my opinions on these questions primarily focus on the Mayor, the other Commissioners have not been very effective in combating her behavior. The Commissioners in general are polite in conversation (except for the Mayor), but having your annual raise discussed in a public setting feels very invasive and I do not feel appreciated.

### Explain any of the above statements if needed. (2)

- 1 As I mentioned previously, I wish we were given more input into the decisions taken by the higher ups that affect us.
- 2 The employee's work as a team, we all wear various hats and help each other. The communication between departments and employees has always been good.

### **My compensation is competitive with similar organizations in the area. (16)**

- 1 Absolutely not
- 2 An 8 year officer who's a supervisor is making much higher than 55,000 annually. We need to be compensated better with more affordable healthcare for us and our families.
- 3 Disagree - salary reports from other municipalities show this.
- 4 It is hereby noted, with due consideration, that the employees of this town receive compensation that falls below that of their counterparts in neighboring municipalities. This disparity in wages is a matter of record and concern, reflecting a systemic undervaluing of those who serve the public in this jurisdiction.
- 5 It is now
- 6 My position has consistently been the lowest paid compared to others of similar nature
- 7 no it is not
- 8 No, the town wants a town but not to have to pay for a town.
- 9 Not even close
- 10 Should be able to match what the rest of the county pays, we are still below
- 11 Strongly disagree.
- 12 this is the lowest paid place to work if you are looking to make a living and pay your bills
- 13 We are lowest paid in the county
- 14 We are one of the lowest paid municipalities in the county. Our pay is not competitive with surrounding similar organizations.
- 15 Yes
- 16 yes

### **My benefits are competitive with similar organizations in the area (13)**

- 1 Benefits could be better.
- 2 Better benefits would be nice and/or more benefits.
- 3 Feel they are in adequate given the type of work we do.
- 4 I dont know
- 5 Medical Insurance is the worst I have ever seen, other than that everything else is similar.
- 6 Not even close

- 7 Our health insurance is terrible. Family coverage is extremely expensive. Mayor thinks that the family shouldn't even be covered. Great Leader and family mentality.
- 8 The benefits here aren't as good as other places nearby. Other places have better stuff for their workers, but we don't get as much.
- 9 Unsure
- 10 yes
- 11 yes
- 12 Yes
- 13 yes except for salary

### **What do you enjoy most about working at this organization? (17)**

- 1 Engaging with the community.
- 2 Having the ability to make the town a better and safer place to live
- 3 I enjoy the teamwork and comradery of all employees. I enjoy the people I work with.
- 4 My co-workers
- 5 my coworkers
- 6 My coworkers
- 7 Teamwork, family feeling, and day-to-day environment
- 8 The other staff members and the opportunity to make the Town of Melbourne Beach a respected community.
- 9 The people and the team. Working together and accomplishing various goals is importance of mine. My supervisors and command staff in addition to town administration have been fantastic.
- 10 The people I work with and the community.
- 11 the people i work with. my ability to make life better for the residents of this town.
- 12 The people that I work with and for.
- 13 The people who work at town hall, (office, police, fire) are the nicest most concerned for the Town people I have ever met
- 14 The people who work in Town Hall
- 15 The personnel around the office are very dedicated and engage.
- 16 The staff and Town Manager.
- 17 This organization has such great communication among the police department, fire and town Hall. We are all working for the best of the town.

### **What could most improve this organization as a place to work? (14)**



- 1 A new Mayor
- 2 Becoming more competitive with benefits and salary, instead of barely trailing behind others and playing catch-up years later, be the one to set the bar for once.
- 3 better understand of kindness and respect to other from the commission
- 4 Get a new Mayor. Have a commission that understands how government works and trusts the people in the positions that have the knowledge and have worked in government for many years.
- 5 having commissioner who support employees and listen to their advise as they are subject experts in their positions.
- 6 If we got a new Mayor that truly cared about the town.
- 7 Keeping the current Town Manager.
- 8 Keeping the mayor out of employees business she represents the residents.
- 9 More input from lower rank employees
- 10 pay
- 11 Suing the Mayor and getting rid of her.
- 12 The pay
- 13 The residents appreciate the staff and the product delivered
- 14 Trust of employees by commission and especially the mayor

### Is there anything else you would like to add? (9)

- 1 Continuing to micromanage staff will continue to result in good employees leaving and Town Hall and the Town itself will once again fall into decline.
- 2 Had the Mayor stayed within the proper conduct guidelines and acted professionally many problems would have been avoided.
- 3 N/A
- 4 no
- 5 No
- 6 Nothing else.
- 7 The commission needs to adhere to the charter and stop micromanaging the employees.
- 8 This is a good place to work at.
- 9 This survey will not accomplish anything.



# Florida House of Representatives

## *Representative Monique Miller*

District 33

District Office:  
2539 Palm Bay Rd  
Palm Bay, FL, 32905  
321-497-8170

Tallahassee Office:  
1301 The Capitol  
402 South Monroe Street  
Tallahassee, FL 32399  
(850) 717-5033

August 5, 2025

Dear Chair LaMarca & Vice Chair Collins,

I am writing to respectfully request that the Joint Legislative Audit Committee (JLAC) direct the Auditor General to conduct an operational audit of the City of Melbourne Beach over several concerns including: procurement & contract management, including historical handling of infrastructure maintenance, public safety oversight and compensation, and general concerns about policies related to records management access to city data, systems, and facilities by public officials and employees.

In recent months, the City of Melbourne Beach has experienced considerable contention and growing concern among its residents regarding the city's processes related to contract procurement and payments made to construction contractors. Allegations and questions have been raised about the integrity, efficiency, and transparency of these procedures, prompting a need for an objective and thorough review.

This request for an audit is not made lightly. It is supported by municipal elected officials and concerned citizens on both sides of the issue. Despite differing views on certain aspects of the situation, these stakeholders are united in their desire for clarity and accountability, and they have agreed to accept the outcome of this independent audit.

An audit conducted by the Auditor General would provide the community with a neutral assessment of the city's financial practices, identify any potential issues or areas for improvement, and offer a pathway toward restoring confidence in local governance.

I strongly believe that transparency and accountability are the cornerstones of good government, and this audit will serve to reinforce those principles for the residents of Melbourne Beach. Thank you for your consideration of this important request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Monique Miller", with a stylized flourish at the end.

Rep. Monique Miller

Cc: Speaker Daniel Perez & President Ben Albritton

## STAFF ANALYSIS

**Date:** November 15, 2025

**Subject:** Request for an Audit of the Town of Melbourne Beach

Analyst            Coordinator

DuBosc<sup>KD</sup>        DuBose<sup>KD</sup>

### I. Summary

The Joint Legislative Auditing Committee (Committee) has received a request from Representative Monique Miller to have the Committee direct the Auditor General to conduct an operational audit of the Town of Melbourne Beach.

### II. Present Situation

#### Current Law

Joint Rule 4.5(2) provides that the Legislative Auditing Committee may receive requests for audits and reviews from legislators and any audit request, petition for audit, or other matter for investigation directed or referred to it pursuant to general law. The Committee may make any appropriate disposition of such requests or referrals and shall, within a reasonable time, report to the requesting party the disposition of any audit request.

Joint Rule 4.5(1) provides that the Legislative Auditing Committee may direct the Auditor General or the Office of Program Policy Analysis and Government Accountability (OPPAGA) to conduct an audit, review, or examination of any entity or record described in Section 11.45(2) or (3), *Florida Statutes*.

Section 11.45(3)(a), *Florida Statutes*, provides that the Auditor General may, pursuant to his or her own authority, or at the discretion of the Legislative Auditing Committee, conduct audits or other engagements as determined appropriate by the Auditor General of the accounts and records of any governmental entity created or established by law.

Section 11.45(2)(j), *Florida Statutes*, provides, in part, that the Auditor General shall conduct a follow-up to his or her audit report on a local governmental entity no later than 18 months after the release of the audit report to determine the local governmental entity's progress in addressing the findings and recommendations contained in the previous audit report.

#### Request for an Audit of the Town of Melbourne Beach

Representative Miller has requested the Committee to direct an audit of the Town of Melbourne Beach related to the following areas:

- Procurement;
- Contract management;
- Infrastructure maintenance;
- Public safety oversight and compensation; and
- Policies related to records management access to [town] data, systems, and facilities by public officials and employees.<sup>1</sup>

She stated that “[i]n recent months the [Town] of Melbourne Beach has experienced considerable contention and growing concern among its residents regarding the [town’s] processes related to contact procurement and payments made to construction contractors. Allegations and questions have been raised about the integrity, efficiency, and transparency of these procedures, prompting a need for an objective and thorough review.”<sup>2</sup>

In addition, she stated that the audit request “is supported by municipal elected officials and concerned citizens on both sides of the issue. Despite differing views on certain aspects of the situation, these stakeholders are united in their desire for clarity and accountability, and they have agreed to accept the outcome of this independent audit.”<sup>3</sup>

### **Background**

The City of Melbourne Beach was originally incorporated by Chapter 9833, *Laws of Florida, Acts of 1923*. In 1967, the designation was changed from the City of Melbourne Beach to the Town of Melbourne Beach (Town).<sup>4</sup> The Town is located in Brevard County and has a population of 3,306.<sup>5</sup>

The Town operates under a commission-manager form of government and is governed by an elected mayor and four commissioners.<sup>6</sup> The Mayor and the Commissioners are elected at large and serve a term of three years.<sup>7</sup> The Mayor is a voting member and presiding officer of the Town Commission (Commission) and the titular head of the Town government for ceremonial purposes, and for the purpose of civil process.<sup>8</sup>

The powers of the Commission include, but are not limited to: (1) appointing, and when necessary for the good of the Town, suspending or removing, the Town Manager, Town Clerk,<sup>9</sup> or Town Attorney; (2) approving any additions or deletions of staff positions upon the recommendation of the Town

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<sup>1</sup> Letter from Representative Monique Miller to Chair LaMarca and Vice Chair Collins, Joint Legislative Auditing Committee, dated August 5, 2025 (on file in Committee Office).

<sup>2</sup> *Id.*

<sup>3</sup> *Id.*

<sup>4</sup> Chapter 67-1716, *Laws of Florida*.

<sup>5</sup> University of Florida, College of Liberal Arts and Sciences, Bureau of Economic and Business Research, *Florida Estimates of Population by County and City 2024 (Table 1 only)*, page 5, available at: <https://edr.state.fl.us/Content/population-demographics/data/Estimates2024.pdf> (last visited November 14, 2025).

<sup>6</sup> Town of Melbourne Beach, Florida Charter, Article II, Secs. 2.01 and 2.02; and Article III, Sec. 3.01, available at: [https://codelibrary.amlegal.com/codes/melbournebeach/latest/melbournebeach\\_fl/0-0-0-16586](https://codelibrary.amlegal.com/codes/melbournebeach/latest/melbournebeach_fl/0-0-0-16586) (last visited November 14, 2025).

<sup>7</sup> *Id.* Secs. 2.02 and 2.03.

<sup>8</sup> *Id.* Sec. 2.07.

<sup>9</sup> During the Town’s election on November 4, 2025, voters approved amendments to the Town’s Charter that remove the Town Commission’s authority to: (1) Appoint, Suspend, or Remove Town Clerk; and (3) Fix Salary of Town Clerk. Elections results are available at: <https://enr.electionsfl.org/BRE/3869/Summary/> (last visited November 14, 2025).

Manager; (3) providing policy direction to, and exercising control over the Town Manager as may be required in his or her role as administrative head of the Town; (4) approving an annual Town budget and any amendments to the budget, together with such other fiscal reports and programs as may be required, and periodically reviewing the financial status of the Town relative to the current budget; and (5) performing other duties as may be prescribed by ordinance or resolution consistent with the concept of management of the Town expressed in the Town's Charter.<sup>10</sup> The Town provides the following services: general government, public safety, physical environment, and recreation.<sup>11</sup>

### **Concerns and Related Information**

Per Representative Miller's staff, "[o]ver the past several months, there has been significant contention between the citizens of [the Town of] Melbourne Beach over the [Town]'s handling of several services and issues. The root of this mistrust mostly surrounds its contract procurement processes with vendors including BSE Consulting, a vendor which does infrastructure improvements. One faction believes that several hundred thousand dollars [have] been improperly paid, without the [Town] receiving services. This distrust built between the [Town] and the citizens has let to a myriad of [public record] requests, lawsuits, and allegations of corruption which has result[ed] in the [Town] Manager leaving, numerous [Town] employees either quitting or being fired, and contention between neighbors."<sup>12</sup> The staff member also stated that the audit should determine if any payments were made improperly and, if so, who is responsible.<sup>13</sup>

Committee staff note: Often when the Committee receives a request from an authorized source<sup>14</sup> for an operational audit of a local government, at least one of several situations has occurred. This includes: (1) Committee staff have received complaints from affected individuals, including at times elected officials, regarding alleged wrongdoing; (2) Media outlets have reported related issues; (3) The Committee is familiar with the entity through its statutory enforcement of late-filed financial reports or long-term repeat audit findings; or (4) An entity's most recent financial audit report includes one or more related findings that have not risen to the level of Committee enforcement.<sup>15</sup> None of these situations currently apply to the Town of Melbourne Beach (Town).<sup>16</sup> However, Committee staff have received concerns related to the Town's Mayor. These concerns are summarized and provided because of the Mayor's repeated comments related to one of the Town's vendors, which appears to be one of the main reasons for the audit request.

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<sup>10</sup> *Id.* Article III, Sec. 3.01.

<sup>11</sup> *Management's Discussion and Analysis, Town of Melbourne Beach, Florida, Financial Statements, September 30, 2024*, page 4, available at: [https://flauditor.gov/pages/mun\\_efile%20rpts/2024%20melbourne%20beach.pdf](https://flauditor.gov/pages/mun_efile%20rpts/2024%20melbourne%20beach.pdf) (last visited November 15, 2025).

<sup>12</sup> Email from Representative Miller's staff, dated August 21, 2025 (on file in Committee Office).

<sup>13</sup> *Id.*

<sup>14</sup> The Committee is authorized to consider audit requests submitted by a member of the Legislature, the governing board of a local governmental entity, or residents of a municipality who have submitted a petition that meets the statutory threshold.

<sup>15</sup> In accordance with Section 218.39(8), *Florida Statutes*, only audit findings that have been included in three or more successive audit reports are reported to the Committee for potential enforcement.

<sup>16</sup> The Town has timely submitted its required annual financial audit report to the Auditor General for the past nine years. The Town's most recent audit report did not include any findings. In certain prior years, the Committee has required the Town to submit a written status update regarding audit findings that had been reported in three or more audit reports. The letters the Committee sent to the Town and the Town's response are available on the Committee's website and are available at: [https://www.leg.state.fl.us/cgi-bin/View\\_Page.pl?File=correspondence.cfm&Directory=committees/joint/Jcla/&Tab=committees&EntityTypeId=12#corrMenu](https://www.leg.state.fl.us/cgi-bin/View_Page.pl?File=correspondence.cfm&Directory=committees/joint/Jcla/&Tab=committees&EntityTypeId=12#corrMenu) (last visited November 14, 2025) Note: To access letters, scroll to the bottom of the webpage, select 'Municipalities,' and then select 'Melbourne Beach.'

*Town's Mayor*

The primary concerns regarding the Mayor appear to relate to her public records requests, lawsuits against the Town, and treatment of Town staff.

- Extensive Public Records Requests:

The Mayor has a history of requesting extensive public records, both in terms of the number submitted and the volume of records requested for certain requests.<sup>17</sup> As discussed below, lawsuits have been filed related to some of her public records requests. Reportedly, in response to one public records request, Town staff explained to her that the documentation requested would be over one million pages.

- Lawsuits filed against the Town:

For background, the Mayor and her spouse are listed as the sole Managers for Funoe, LLC (LLC) in public records available from the Florida Department of State, Division of Corporations.<sup>18, 19, 20</sup> The Mayor and the LLC appear to have filed a total of six lawsuits against the Town.<sup>21, 22</sup> Prior to

<sup>17</sup> The petition filed for one public records related lawsuit (Case Number 05-2023-CA-044349-XXXX-XX) included a list of over 120 public records requests that the Mayor had made prior to her election. Examples of requests include copies of all documents and records for permitted and unpermitted accessory structures for the last 15 years (with list of items to be included but not limited to); all public records of any kind in the custody of the Town; all public records in the custody of any consultants; and one request that the Town had identified as containing 34 individual requests. An email from the Mayor to the Town Attorney, dated September 30, 2024, states that “it was agreed that my prior pending PRRs – prior to being elected – would not be revoked, but held in abeyance. I would like to revoke that abeyance now. Now that all the records are scanned it should be a lot faster” (documents on file in Committee Office).

<sup>18</sup> Available at:

<https://search.sunbiz.org/Inquiry/CorporationSearch/SearchResultDetail?inquirytype=EntityName&directionType=Initial&searchNameOrder=FUNOE%20L170002593120&aggregateId=flal-117000259312-1efed0e7-00c0-4939-bd5c-7901c1659604&searchTerm=funoe&listNameOrder=FUNOE%20L170002593120> (last visited November 15, 2025)

<sup>19</sup> During at least three Commission Meetings, the Mayor has made statements related to the LLC. These meetings include: (1) The Meeting Minutes for the Regular Town Commission Meeting on March 19, 2025, for Agenda Item 13.I Town Staff/Board Reports reflect that the Mayor stated that “it is not her company, it’s her family’s,” see page 13, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250319-rtcm-signed-minutes.pdf> (last visited November 15, 2025); (2) The Meeting Minutes for the Regular Town Commission Meeting on May 21, 2025, for Agenda Item 7. Public Comments reflect that in response to a comment that she is denying the lawsuit, the Mayor responded that “it is a 4 member LLC,” see page 2, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250521-rtcm-signed-minutes.pdf> (last visited November 15, 2025); and (3) The video for the Regular Town Commission Meeting on October 15, 2025, when the Commission was about to consider a motion to disclose a settlement offer, the Mayor stated that “I will not be voting on this due to conflict which is that I am a principal of Funoe, LLC, which has 4 members and which is the plaintiff in these....” see approximately 1:59, available at: [https://www.youtube.com/watch?v=NWpyaw\\_RhKM&t=18439s](https://www.youtube.com/watch?v=NWpyaw_RhKM&t=18439s) (last visited November 15, 2025).

<sup>20</sup> The LLC’s most recent Annual Report, dated March 9, 2025, is electronically signed by the Registered Agent for the LLC, Deborah Fricke as Vice President, available at:

<https://search.sunbiz.org/Inquiry/CorporationSearch/GetDocument?aggregateId=flal-117000259312-1efed0e7-00c0-4939-bd5c-7901c1659604&transactionId=117000259312-436fcfc-b-e039-432a-a2d9-cd1f31417c21&formatType=PDF> (last visited November 15, 2025).

<sup>21</sup> Case Numbers for lawsuits filed against the Town by Alison Dennington: 05-2022-CA-053294-XXXX-XX, 05-2023-CA-044349-XXXX-XX, and 05-2023-CA-051904-XXXX-XX. Details regarding these lawsuits are available on the Brevard County Clerk of the Circuit Court’s website at: [https://vmatrix1.brevardclerk.us/beca/beca\\_splash.cfm](https://vmatrix1.brevardclerk.us/beca/beca_splash.cfm) (last visited November 15, 2025). To access the history and records associated with each lawsuit: (1) accept the disclaimer; (2) select ‘General Public Court Records Search;’ and (3) enter the Mayor’s name and select the date range to include the 2022 and 2023 calendars. Once the list of cases appears, select the Case Number hyperlink.

<sup>22</sup> Case Numbers for lawsuits filed against the Town by Funoe LLC: 05-2022-AP-025737-XXXX-XX, 05-2025-CA-019574-XXCA-BC, and 05-2025-CA-023102-XXCA-BC. Details regarding these lawsuits are available on the Brevard County Clerk of the Circuit Court’s website at: [https://vmatrix1.brevardclerk.us/beca/beca\\_splash.cfm](https://vmatrix1.brevardclerk.us/beca/beca_splash.cfm) (last visited November 15, 2025). To access the history and records associated with each lawsuit: (1) accept the disclaimer; (2) select ‘General Public Court Records Search;

her time as Mayor, she filed some of the lawsuits as an individual.<sup>23</sup> Since she became the Town's Mayor, in November 2023, the lawsuits have been filed by the LLC.<sup>24</sup>

Four lawsuits relate to contesting a municipal election<sup>25</sup> and public records requests.<sup>26, 27, 28</sup> In addition, two lawsuits are associated with a prior code enforcement violation.<sup>29</sup> One lawsuit appealed the *Findings of Fact, Conclusions of Law, and Order* entered by the Town's Code Enforcement Special Magistrate.<sup>30</sup> Another lawsuit alleged a Breach of Contract, Slander of Title, and sought Declaratory Relief.<sup>31</sup> The only outstanding lawsuits are those filed by the LLC.

During the Public Comments portion of Commission meetings, residents have expressed frustration with the cost of the Mayor's lawsuits.<sup>32</sup> As of March 2025, the Town's costs for Attorney's fees for the lawsuits was \$150,169.25.<sup>33</sup>

During the Commission's meeting on October 15, 2025, the Town Attorney discussed a settlement offer he had requested and received from the LLC.<sup>34</sup> The settlement offer would resolve all three outstanding lawsuits and includes, in part, the requirement for the Town to pay the LLC \$56,350.47 in outstanding attorney costs.<sup>35, 36, 37</sup> The Town Attorney asked the Commission about how they wanted to proceed and provided the members with options, such as scheduling a shade meeting or

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and (3) select the tab labeled 'Business Name;' (4) in the field 'Business Name,' select the drop down for 'Begins with,' enter 'Funoe' and select the date range to include the 2022 through 2025 calendar years. Once the list of cases appears, select the Case Number hyperlink.

<sup>23</sup> See *supra* note 21.

<sup>24</sup> See *supra* note 22.

<sup>25</sup> Case Number 05-2022-CA-053294-XXXX-XX; Complaint filed November 18, 2022.

<sup>26</sup> Case Number 05-2023-CA-044349-XXXX-XX; Petition filed August 24, 2023.

<sup>27</sup> Case Number 05-2023-CA-051904-XXXX-XX; Petition filed October 20, 2023.

<sup>28</sup> Case Number 05-2025-CA-023102-XXCA-BC; Petition filed on March 28, 2025.

<sup>29</sup> Per the *Findings of Fact, Conclusions of Law, and Order*, dated March 30, 2022, issued by the Code Enforcement Special Magistrate, "The Respondent caused the shed, which was pre-built, to be moved to and erected on the Property without applying for or obtaining a building permit from the Town of Melbourne Beach. In response to a complaint about the shed, the Town of Melbourne Beach issued a Notice of Violation to Respondent based on alleged violations of... the Town's Land Development Code, and... *Florida Building Code, Building* (on file in Committee Office).

<sup>30</sup> Case Number 05-2022-AP-025737-XXXX-XX; Notice of Appeal filed on April 29, 2022.

<sup>31</sup> Case Number 05-2025-CA-019574-XXCA-BC; Complaint filed March 10, 2025.

<sup>32</sup> For example, see pages 2-5 of the Meeting Minutes for the Regular Town Commission Meeting on April 16, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250416-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>33</sup> Email from Town staff to Committee staff, dated November 12, 2025. Per the Finance Director, this was the date of the last public records request. Additional charges have been incurred since then that are not included in the total.

<sup>34</sup> Meeting Minutes for the Regular Town Commission Meeting on October 15, 2025, are not yet available. Video of the meeting is available at: [https://www.youtube.com/watch?v=NWpyaw\\_RhKM&t=18435s](https://www.youtube.com/watch?v=NWpyaw_RhKM&t=18435s) (last visited November 15, 2025); this portion of the meeting begins at 1:42:05 and ends at 2:19:40.

<sup>35</sup> *Id.*

<sup>36</sup> A local attorney has written the Town a letter asking a series of questions regarding the Mayor's participation in the settlement discussion including "Why was [the Mayor] permitted to remain in a meeting during litigation settlement discussions regarding a lawsuit in which she, through... LLC is the plaintiff?" Letter from J. Andrew Weerts, Attorney at Law, to Town of Melbourne Beach Commission Members, dated October 22, 2025 (on file in Committee Office).

<sup>37</sup> The Mayor stated that the fees were from the point of the breach. The Town Attorney stated that the fees are from August 28, 2024, to present. Source: See *supra* note 34.

accepting the settlement offer that night.<sup>38</sup> However, the only motion the Commission voted on was to disclose the settlement offer, which was approved 4-0.<sup>39</sup>

- Treatment of the Town's staff:

As previously mentioned, the Town operates under a commission-manager form of government.<sup>40</sup> Therefore, the Mayor has no authority, as an individual, related to the Town's staff. The Commission, as a whole, has authority to hire and fire the Town Manager and Town Attorney. Individuals speaking during the Public Comments portion of the Commission meetings have made statements regarding the Mayor's treatment of staff, often describing her behavior as bullying.<sup>41</sup>

In August 2024, the Town's Building Official submitted his Letter of Resignation to the then Town Manager.<sup>42</sup> His letter stated that his "decision to resign stems from and is based on the following issues and concerns:" (1) Toxic Work Environment; (2) Bombardment of False Claims; (3) Interpersonal Conflicts; (4) Lack of Professional; and (5) Erosion of Professional Standards.<sup>43</sup> He specifically named the Mayor as the basis for the concerns and referred to the month that she was elected as the Town's Mayor.<sup>44</sup>

In response, the Town's then Vice Mayor (Vice Mayor) introduced a New Business Agenda Item for the Commission's Regular Meeting on September 18, 2024.<sup>45</sup> The Meeting Packet included a written statement from her that read, in part, "My research has found an accusation of this degree requires an immediate investigation that includes interviewing all employees. It is discriminatory and violates state and federal law. I have also been asked by concerned residents why this investigation has not already been started due to the serious nature of the allegations. Our Town has a policy that addresses workplace behavior of Town employees. This is different because the claim is against an elected official's behavior towards a Town employee. But the employee has the same rights for respectful interactions within the workplace from Town elected officials."

The Vice Mayor had requested the Town's "legal team to immediately put together the necessary process and a plan of action..."<sup>46</sup> However, the Commission approved a motion "to decline legal pursuit of this matter, but to proceed with an anonymous survey prepared by the Town Attorney to

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<sup>38</sup> See *supra* note 34.

<sup>39</sup> *Id.*

<sup>40</sup> See *supra* note 6.

<sup>41</sup> For example, see page 6 of Meeting Minutes for the Regular Town Commission Meeting held on September 18, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>42</sup> See pages 236-237 of Meeting Agenda Packet for the Regular Town Commission Meeting on September 18, 2024, available at: [https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918\\_rtcn\\_agenda\\_packet.pdf](https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918_rtcn_agenda_packet.pdf) (last visited November 15, 2025).

<sup>43</sup> *Id.*

<sup>44</sup> *Id.*

<sup>45</sup> See page 3 of Meeting Agenda for the Regular Town Commission Meeting on September 18, 2024, available at: [https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918\\_rtcn\\_agenda\\_packet.pdf](https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918_rtcn_agenda_packet.pdf) (last visited November 15, 2025).

<sup>46</sup> See page 234 of Meeting Agenda Packet for the Regular Town Commission Meetings held on September 18, 2024, available at: [https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918\\_rtcn\\_agenda\\_packet.pdf](https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918_rtcn_agenda_packet.pdf) (last visited November 15, 2025).



every single employee of the Town.”<sup>47</sup> This decision followed significant discussion between the Commission members and Public Comments.<sup>48</sup>

In March 2025, the Commission had further discussions about the survey and tasked the Town Manager “with researching... companies and cost to perform the survey specific to municipalities.”<sup>49</sup> The Town contracted with a company to conduct the anonymous survey, and the results were released October 2025.<sup>50, 51</sup> Numerous employees stated that they had either been bullied by the Mayor or had witnessed such behavior.<sup>52</sup>

In addition, the Mayor has been censured twice by the Commission. First, in October 2024, with the Commission’s approval of Resolution No. 2024-10.<sup>53, 54</sup> The censure was for “actions and behavior unbecoming of an elected official” and included whereas clauses related to her treatment of the Commissioners and Town staff members and behavior at Commission meetings.<sup>55</sup> Second, in June 2025, with the Commission’s approval of Resolution No. 2025-10.<sup>56, 57</sup> The resolution which stated, in part, that the Mayor “continues to exhibit the types of behavior that she pledged to correct...”<sup>58</sup>

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<sup>47</sup> See pages 13-14 of the Meeting Minutes for Regular Town Commission Meeting on September 18, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>48</sup> See pages 9-13 (Agenda Item 12A New Business) of Meeting Minutes for the Regular Town Commission Meeting on September 18, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/240918-rtcm-signed-minutes.pdf> (last visited November 15, 2025). In addition, video of the meeting is available at <https://www.youtube.com/watch?v=VzYwWsJOfFY> (last visited November 15, 2025); this portion of the meeting begins at 2:46:10 and ends at 3:45:55.

<sup>49</sup> See pages 4-5 of the Meeting Minutes for Regular Town Commission Meeting on March 19, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250319-rtcm-signed-minutes.pdf> (last visited November 15, 2025). During the meeting, but prior to the motion that was approved, the Town Attorney had stated that he had prepared questions for the Commissioners’ review, the Mayor stated that she did not “want an open-ended survey that gives the opportunity for staff to complain about public officials,” and a motion that failed was considered to “just close this issue out, we do not conduct the survey and this topic is considered closed.”

<sup>50</sup> The Town Manager provided updates on the progress in selecting a company to conduct the survey during the Regular Town Commission Meetings on June 18, 2025; July 16, 2025; and August 20, 2025. Source: Meeting Minutes for those dates available at: <https://www.melbournebeachfl.org/Town-Boards/Agendas-and-Minutes> (last visited November 15, 2025).

<sup>51</sup> *Engagement Survey 2025, Reported on 10/29/2025, Data from 6/19/2025 – 10/30/2025, Melbourne Beach, Florida*. Survey conducted by People element (Excerpts from report available in Committee Office).

<sup>52</sup> *Id.*

<sup>53</sup> To view the meeting materials for this item, including the resolution, see page 67-69 of the Agenda Packet for the Regular Town Commission Meeting on October 23, 2024, available at: <https://www.melbournebeachfl.org/files/content/city/v/195/town-boards/agendas-and-minutes/241023-rtcm-agenda-packet.pdf> (last visited November 15, 2025).

<sup>54</sup> See pages 17-20 (Agenda Item 12.F. New Business (moved from Agenda Item 6.A. Proclamations/Presentations/Awards)) of the Meeting Minutes for the Regular Town Commission Meeting on October 23, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/241023-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>55</sup> See *supra* note 53.

<sup>56</sup> To view the meeting materials for this item, including the resolution, see page 129-131 of the Meeting Agenda Packet for the Regular Town Commission Meeting on June 18, 2025 available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250618-rtcm-agenda-packet.pdf> (last visited November 15, 2025).

<sup>57</sup> See pages 9-11 (Agenda Item 11.B. New Business) of the Meeting Minutes for the Regular Town Commission Meeting on June 18, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250618-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>58</sup> See *supra* note 56.

*Town's Engineer*

The Mayor has expressed concerns related to the Town's relationship with one of the Town's vendors, B.S.E. Consultants, Inc. (BSE),<sup>59</sup> during multiple Commission meetings and in emails. Town staff explained that BSE provides engineering services for Town infrastructure needs such as road repair and stormwater projects.<sup>60</sup> The company prepares the bid book,<sup>61</sup> the project goes out to bid, and another company does the actual construction work.<sup>62</sup>

A partial review of the Commission's Minutes disclosed the following comments made by the Mayor as summarized in the Minutes:

- November 20, 2024: The Mayor "spoke about how the Town RFP'd for an Engineer, received 2 responses, neither met the requirements,<sup>63</sup> so the Town couldn't use those but you can hold onto them. We need to go out for RFP because they have been the engineer for years and it has expired. Engineering Services have not been bid since 2017. There is no contract."<sup>64</sup>
- December 18, 2024: The Mayor "wanted to bring up, related to BSE, that the Town is not in compliance with law/code paying and billing monthly services every month. Wants to call an emergency meeting to deal with this issue. Could at least put out an RFQ or bid for engineering services and in the meantime, the Town Attorney can say if the Town is operating legally."<sup>65</sup>
- February 19, 2025: The Mayor "expressed her frustration with getting to see the contract."<sup>66</sup>
- March 5, 2025: The Mayor "spoke about how she wishes they could talk about the situation the Town Manager put them in with the BSE contract."<sup>67</sup>
- March 19, 2025: The Mayor "spoke about the charter having provisions for how minutes are done... because not having a contract with BSE was a big issue. Believes more detailed minutes are better for the residents so they know what is going on without having to listen to entire meetings."<sup>68</sup>
- May 21, 2025: The Mayor "said many residents have complained over the years, many employees have left and filed grievances. In the grievances they mention intentional denial and hiding of public

<sup>59</sup> Per Town staff, BSE is the engineering firm the Town has used the most. They have responded when needed, while other firms may prefer larger jobs. Source: Phone call with Town staff on November 12, 2025.

<sup>60</sup> Phone call with Town staff on October 30, 2025.

<sup>61</sup> The bid book is a set of documents that the company submits to the Town related to a construction project. It is used to solicit contractors during the competitive selection process, such as an Invitation to Bid.

<sup>62</sup> See *supra* note 60.

<sup>63</sup> As noted on a following page, the Commission referred to both companies as highly qualified.

<sup>64</sup> See page 16 of the Meeting Minutes for the Regular Town Commission Meeting on November 20, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/241120-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>65</sup> See page 6 of the Meeting Minutes for the Regular Town Commission Meeting on December 18, 2024, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/241218-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>66</sup> See page 18 of the Meeting Minutes for the Regular Town Commission Meeting on February 19, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250219-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>67</sup> See page 3 of the Minutes for the Town Commission Workshop on March 5, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250305-tcw-signed-minutes.pdf> (last visited November 15, 2025).

<sup>68</sup> See page 4 of the Meeting Minutes for the Regular Town Commission Meeting on March 19, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250319-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

records... one of the essential functions of the Town Manager is to monitor franchise agreements and contracts and she believes there has been active concealment.”<sup>69, 70</sup>

In addition, the Mayor repeatedly declined to approve the Monthly Finance Report presented to the Commission, stating at times that it was because of the BSE issue.<sup>71</sup>

Selected emails show the Mayor shared her concerns regarding BSE to a representative of the Florida Department of Government Efficiency (DOGE)<sup>72</sup> and the Town’s auditor.<sup>73</sup> During the auditor’s presentation of the Town’s 2023-24 fiscal year audit report, the Meeting Minutes state that “The Mayor wanted the auditors to investigate the \$350,000<sup>74</sup> paid to BSE without a contract for engineering services. Clarified that a contract is required so this should have been looked into. [The auditor] said they did look back to make sure nothing major was missed. To the vendor [BSE], it was about \$15,000 paid in fiscal year ’23 and \$40,000 in ’24.”<sup>75</sup> There was considerable discussion, with the auditor explaining that “the objective of a financial audit is to express an opinion on the financial statements. It is not an internal controls audit.”<sup>76, 77, 78</sup>

As explained in the following paragraphs, the Town did not have a contract with BSE until this year. However, in April 2017, the then Town Manager sent an email to BSE and a second company that had participated in an RFQ for Engineering Services that stated “The Town Commission last evening decided to QUALIFY both companies because both are Highly qualified. What this means is that as projects come up we will be selecting from either of the (2) companies and we will hopefully utilize

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<sup>69</sup> See page 10 of the Meeting Minutes for the Regular Town Commission Meeting on May 21, 2025 available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250521-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>70</sup> During this meeting, the Mayor made a motion to terminate the Town Manager for cause immediately. The motion failed for lack of a second. Later, the Town Manager resigned; her last day was October 2, 2025.

<sup>71</sup> The meetings include, but may not be limited to, Regular Commission Meetings on December 18, 2024; January 15, 2025; February 19, 2025; March 19, 2025; April 16, 2025; May 21, 2025; June 18, 2025; July 16, 2025; and August 20, 2025. Minutes of these meetings are available at: <https://www.melbournebeachfl.org/Town-Commission> (last visited November 11, 2025). To access, select the link for ‘Agendas, Packets, Minutes and supporting documents,’ and then select ‘Town Commission.’ and the respective meeting.

<sup>72</sup> Email from the Mayor to Jason Puwalski, Department of Government Efficiency, Executive Office of the Governor, dated April 15, 2025 (on file in Committee Office).

<sup>73</sup> Email from the Mayor to Zach Chalifour (Town’s auditor), dated April 17, 2025 (on file in Committee Office).

<sup>74</sup> In an email dated April 14, 2025, the Mayor requested that the Town’s Finance Director provide her with the total the Town had spent on engineering in all years, 2017 thru 2025. She received a response, with the amounts on April 15, 2025. This may be the amount the Mayor is referencing.

<sup>75</sup> See Page 2 of the Town Commission Workshop Minutes for April 30, 2025 available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250430-tcw-signed-minutes.pdf> (last visited November 15, 2025).

<sup>76</sup> *Id.*, page 3.

<sup>77</sup> The meeting video is available at: <https://www.youtube.com/watch?v=0OlvMLQ-cL8> (last visited November 15, 2025).

<sup>78</sup> After the Town Commission Workshop, the Mayor sent the Town’s Auditor an email, dated May 11, 2025, with the subject “Formal Complaint and Public Records Request Regarding Town Audit,” which, in part, references the BSE payments. She stated that she planned to file formal complaints with several offices, including the Committee, and the auditor’s accreditation board. The Committee has not received any communication from the Mayor. On May 29, 2025, the Town Attorney sent the Town’s Auditor an email which stated, in part, “the email from the Mayor was not sent as a representative of the Town and was sent in her individual capacity. The Town Commission has not authorized any formal complaint or public records request for James Moore” (the Town’s audit firm). (Emails on file in Committee Office).

both companies as circumstances warrant.”<sup>79</sup> Committee staff understand that the Town had been following this policy until recently.<sup>80</sup>

Minutes for the April 19, 2017, Town Commission Regular Meeting include the following statements and actions:<sup>81</sup>

- The Town Manager stated that “the Town does not have an engineering firm to call on when services are needed. In response to an RFQ, two proposals were received. Both firms are highly qualified with the only difference being a slight difference in fee.”
- A Commissioner made a motion to qualify both firms, and the motion was seconded.
- After a recess to do some research, the then Town Attorney stated that “what the Commission is effectively doing, under CCNA [Consultants Competitive Negotiation Act], is awarding the ability to enter into continuing contracts for professional services, because there is no current project. He read the definition of “continuing contract”... Firms providing services under a continuing contract should not have to bid against each other, one or the other is chosen.”
- The Motion carried 5-0.

In February 2025, the Commission approved a motion that, in part, requested the “Town Manager and Town Attorney to work together to come up with an RFQ for professional engineering services.”<sup>82</sup> At the Commission’s Regular meeting in April 2025, the then Town Manager included an agenda item for the Commission to consider the four proposals received in response to the RFQ.<sup>83</sup> After some discussion, the Commission scheduled a Special Meeting for the next week.<sup>84</sup> During the Special Meeting, the Commission approved a motion to qualify all four companies (Construction Engineering Group; B.S.E. Consultants, Inc.; Bowman Consulting Group, Ltd.; and EDC) with the Mayor dissenting.<sup>85</sup> Each Commissioner ranked the companies, and then the Commission unanimously approved a motion to proceed with an agreement with all four companies.<sup>86, 87</sup>

The contract with BSE was executed on June 24, 2025, with an initial term from June 24, 2025, to June 24, 2030.<sup>88</sup>

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<sup>79</sup> Email from Tim Day, Town Manager to Eric Flavell (Bowman Consulting) and Scott Glaubitz (B.S.E. Consultants), dated April 20, 2017 (on file in Committee Office).

<sup>80</sup> Phone call with Town staff on October 30, 2025.

<sup>81</sup> Page T15 of the Meeting Minutes for the Regular Town Commission Meeting on April 19, 2017 (on file in Committee Office).

<sup>82</sup> See Page 20 of the Meeting Minutes for the Regular Town Commission Meeting on February 19, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250219-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>83</sup> See Pages 13-14 of the Meeting Minutes for Regular Town Commission Meeting on April 15, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250416-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>84</sup> *Id.*

<sup>85</sup> See Page 4 of the Meeting Minutes for the Special Town Commission Meeting on April 23, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250423-stcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>86</sup> *Id.*, pages 4-5.

<sup>87</sup> During a Commission Meeting on July 16, 2025, one of the Commissioners confirmed that number of contracts had dropped from four to three, including BSE, Bowman, and Haley Ward. See page 8 of the Meeting Minutes for the Regular Town Commission Meeting on July 16, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250716-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>88</sup> Professional Services Contract Between Town of Melbourne Beach, Florida and B.S.E. Consultants, Inc. (on file in Committee Office).

Prior to the execution of the contract with BSE, the Commission had discussed a stormwater project, referred to as Basin 1, during multiple meetings.<sup>89</sup> During the July 16, 2025, Regular Town Commission Meeting, the Town Attorney stated that “BSE did the bid book, so they can send that out for RFP or [the Commission can] have another engineering firm redo the work.”<sup>90</sup> The Commission approved a motion to “ask BSE to move forward with the RFP.”<sup>91</sup> At the November 5, 2025, Special Meeting, the Commission approved an agreement with the Contractor, that had previously been selected, to begin work on the project.<sup>92</sup> The agreement, including the document prepared by BSE, are provided as an Addition to the Packet.<sup>93</sup>

### *Public Safety*

The requested audit scope includes “Public safety oversight and compensation.” This may relate to the Town’s Volunteer Fire Department.<sup>94</sup> The Town has a paid Fire Chief, a part-time Fire Maintenance Tech, and 32 Volunteer Firefighters.<sup>95</sup> At the Commission’s Special Budget Meeting on September 3, 2025, the Fire Chief provided an update on his application for the FEMA Staffing for Adequate Fire and Emergency Response (SAFER) grant.<sup>96, 97</sup> His intent is for the Town to hire paid firefighters for some of its positions.<sup>98</sup> Discussions during that meeting,<sup>99</sup> the July 16, 2025 Commission Regular Meeting,<sup>100</sup> and emails<sup>101</sup> show that the Mayor has been challenging the Fire Chief’s data, used at least in part, to

<sup>89</sup> For example, see pages 5-6 of the Meeting Minutes for the Town Commission Workshop on March 5, 2025; see pages 2-5 of the Meeting Minutes for the Special Town Commission Meeting on March 19, 2025; and, see pages 6-8 of the Meeting Minutes for the Regular Town Commission Meeting on May 21, 2025, available at: <https://www.melbournebeachfl.org/Town-Commission> (last visited November 15, 2025).

<sup>90</sup> See page 7 of the Meeting Minutes for the Regular Town Commission Meeting on July 16, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250716-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>91</sup> *Id.*

<sup>92</sup> Meeting Minutes for the Special Town Commission Meeting on November 5, 2025, are not yet available. Video of the meeting is available at: [https://www.youtube.com/watch?v=yanPCtSY\\_Mk&t=3643s](https://www.youtube.com/watch?v=yanPCtSY_Mk&t=3643s) (last visited November 13, 2025); this portion of the meeting begins at 1:00:29 and ends at 1:10:05.

<sup>93</sup> Available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/251105-stcm-packet-additions.pdf> (last visited November 15, 2025).

<sup>94</sup> Committee staff are aware of issues related to a former Police Chief and records pertaining to the personnel who were issued a key fob for access to an area of Town Hall.

<sup>95</sup> Email from Town staff to Committee staff, dated November 14, 2025 (on file in Committee Office).

<sup>96</sup> Town Commission Meeting Minutes for the Special Budget Meeting on September 3, 2025, are not yet available. Video of the meeting is available at: <https://www.youtube.com/watch?v=y99YdjY95Es&t=9206s> (last visited November 15, 2025); this portion of the meeting begins at approximately 1:00:24 and ends at 2:07:29.

<sup>97</sup> FEMA’s website states that the SAFER grant “was created to provide funding directly to fire departments and volunteer firefighter interest organizations to help them increase or maintain the number of trained, “front line” firefighters available in their communities.”

<sup>98</sup> *Id.*

<sup>99</sup> *Id.*

<sup>100</sup> See Pages 12-13 of the Meeting Minutes for the Regular Town Commission Meeting on July 16, 2025, available at: <https://www.melbournebeachfl.org/files/assets/city/v/1/boards-amp-commission/town-commission/250716-rtcm-signed-minutes.pdf> (last visited November 15, 2025).

<sup>101</sup> For example, an email from the Mayor to the Fire Chief and other Town staff, dated July 21, 2025, states “I cannot stress enough how important I think it is for you [to] adequately correct ALL your data presentations, through retraction... and a redo of ALL prior presentation material...” An email from the Mayor to a DOGE staff member, dated August 19, 2025, states in part that the Fire Chief “took approximately 50 incidents from 2024..., then spent untold hours on Town paid time going through and back-dating 38 of the 50 incidents to make the “response” times longer, he then added color coding to make... longer times RED to stand out, and he then has been telling the town residents our response times are too slow for not meeting the...National Fire Standard “Guidelines”... He has been wanting a paid department since at least 2019 even though we do not really need one.” (Emails on file in Committee Office). Note: At the July 16, 2025, Town Commission Regular Meeting, page 13 reflects that the Commission discussed and advised the Fire Chief to add another column to his report to include the dispatch time. He had included

support the grant request. In July 2025, the Fire Chief responded to several emails from the Mayor in which he stated in part “There is no amount of data or spreadsheets that is going to convince me or my volunteers that we don’t currently have a problem with the way that our Department is operating. My argument was never based on response times, that was just a result of your request for data after my first presentation. My argument is that I don’t think the way we are operating is adequate or in the best interest of our residents and our firefighters... [and] my volunteers don’t believe that the way we are operating is adequate. Indialantic canceled our automatic aid agreement because they don’t believe the way we are operating is adequate, and Brevard County won’t enter into an automatic aid agreement with us because they don’t believe the way we are operating is adequate. I understand you are passionate about saving the taxpayers money, it’s you that they go to and complain when taxes go up.”<sup>102, 103</sup> Reportedly, the Mayor contacted FEMA to report suspected fraud in the data submitted in support of the Town’s application for the SAFER grant.<sup>104</sup>

#### *Committee Staff Comment*

During the review of Town Commission Meetings and selected public records, Committee staff did see indications of the contention, referenced by Representative Miller, involving the Town’s elected officials and citizens. For example, certain individuals do support the Mayor’s public records requests and lawsuits while other individuals do not.

#### **Financial Audit**

The Town has obtained annual financial audits of its accounts and records by an independent certified public accountant (CPA). The Town has submitted the audit reports to the Auditor General’s Office in accordance with Section 218.39(1), *Florida Statutes*.<sup>105</sup> The most recent financial audit report submitted to the Auditor General is for the 2023-24 fiscal year was timely filed and included no findings.<sup>106, 107</sup>

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the alarm time, which is the time the person calls 911; the dispatch time is how long it takes them to send the alert to the members of the Fire Department.

<sup>102</sup> Email from the Fire Chief to the Mayor, dated July 23, 2025 (on file in Committee Office).

<sup>103</sup> The Town’s 2025-26 fiscal year budget includes three paid firefighters. Town staff stated that the Town can’t hire them prior to getting the grant, or the grant will not pay for them.

<sup>104</sup> The Town has been contacted by a law firm representing a local television station regarding a September 12, 2025, public records request for “emails to/from Mayor Dennington regarding FEMA and/or the SAFER grant between June 1, 2025, and September 11, 2025.” After multiple emails to the Town, on November 10, 2025, the law firm asked to provide the requested records within the next 7 days. On September 4, 2025, a representative from FEMA sent an email to the Mayor which stated “Thank you again for reaching out to us about your concerns. Below is the information you requested: To formally report fraud, contact the Department of Homeland Security Office of Inspector General at...” with a phone number and webpage referenced. (Emails on file in Committee Office).

<sup>105</sup> Pursuant to Section 218.39(7), *Florida Statutes*, these audits are required to be conducted in accordance with rules of the Auditor General promulgated pursuant to Section 11.45, *Florida Statutes*. The Auditor General has issued *Rules of the Auditor General, Chapter 10.550 - Local Governmental Entity Audits* and has adopted the auditing standards set forth in the publication entitled *Government Auditing Standards* (2018 Revision) as standards for auditing local governmental entities pursuant to Florida law.

<sup>106</sup> Town of Melbourne Beach, Florida, *Financial Statements, September 30, 2024*; available at: [https://flauditor.gov/pages/mun\\_efile%20rpts/2024%20melbourne%20beach.pdf](https://flauditor.gov/pages/mun_efile%20rpts/2024%20melbourne%20beach.pdf) (last visited November 15, 2025).

<sup>107</sup> Source: The Committee’s database includes, in part, the dates local governmental entities have filed their annual financial audit report.

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*Financial Highlights Included in the Town's Audit Report.*<sup>108</sup>

- “The assets of the Town... exceeded its liabilities at the close of the 2024 fiscal year by \$13,032,089 (net position). Of this amount \$7,958,598 is net investment in capital assets while restricted net position is \$327,962. \$4,745,529 (unrestricted net position) may be used to meet the government’s ongoing obligations to citizens and creditors.
- The total net position increased \$570,203 from the previous year.
- As of the close of fiscal year 2024, the Town’s governmental funds reported combined ending fund balances of \$6,440,488, an increase of \$550,859 in comparison with the prior year. While \$1,342,606 represents the portion restricted by outside parties, \$1,685,517 is assigned for capital improvements and town parks, and \$3,190,579 of the governmental funds balance is available for spending at the government’s discretion (unassigned fund balance). An additional \$181,050 of governmental fund balance is non-spendable for current obligations, and \$40,736 is committed for stormwater utility.
- At the end of the 2024 fiscal year, unassigned fund balance for the general fund was \$3,190,579 or 76.2% of total general fund expenditures.
- The Town’s total long-term liabilities decreased by \$338,986 during the fiscal year. This reflects primarily the repayment of outstanding balances for bonds and notes.”

**Other Considerations**

The Auditor General, if directed by the Committee, will conduct an operational audit as defined in Section 11.45(1)(i), *Florida Statutes*, and take steps to avoid duplicating the work efforts of other audits being performed of the Town’s operations, such as the annual financial audit. The primary focus of a financial audit is to examine the financial statements in order to provide reasonable assurance about whether they are fairly presented in all material respects. The focus of an operational audit is to evaluate management’s performance in establishing and maintaining internal controls and administering assigned responsibilities in accordance with laws, rules, regulations, contracts, grant agreements, and other guidelines. Also, in accordance with Section 11.45 (2)(j), *Florida Statutes*, the Auditor General will be required to conduct an 18-month follow-up audit to determine the Town’s progress in addressing the findings and recommendations contained within the previous audit report.

The Auditor General has no enforcement authority. If fraud is suspected, the Auditor General may be required by professional standards to report it to those charged with the Town’s governance and also to appropriate law enforcement authorities. Audit reports released by the Auditor General are routinely filed with law enforcement authorities. Implementation of corrective action to address any audit findings is the responsibility of the Town’s governing board and management, as well as the citizens living within the boundaries of the Town. Alternately, any audit findings that are not corrected after three successive audits are required to be reported to the Committee by the Auditor General, and a process is provided in Section 218.39(8), *Florida Statutes*, for the Committee’s involvement. First, the Town may be required to provide a written statement explaining why corrective action has not been taken and to provide details of any corrective action that is anticipated. If the statement is not determined to be sufficient, the Committee may request the Mayor to appear before the Committee. Ultimately, if it is determined that there is no justifiable reason for not taking corrective action, the Committee may direct the Department

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<sup>108</sup> Management’s Discussion and Analysis, Town of Melbourne Beach, Florida, Financial Statements, September 30, 2024, page 4.

of Revenue and the Department of Financial Services to withhold any funds not pledged for bond debt service satisfaction which are payable to the Town until the Town complies with the law.

### **III. Effect of Proposed Request and Committee Staff Recommendation**

If the Committee directs the Auditor General to perform an operational audit of the Town of Melbourne Beach, the Auditor General, pursuant to the authority provided in Section 11.45(3), *Florida Statutes*, shall finalize the scope of the audit during the course of the audit, providing that the audit-related concerns of Representative Miller are considered.

### **IV. Economic Impact and Fiscal Note**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

If the Committee directs the audit, the Auditor General will absorb the audit costs within her approved operating budget.

### **V. Related Issues**

None.

This staff analysis does not reflect the intent or official position of the requestor.
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#### **4. Apalachicola Audit Request**