

**From:** "Maureen Rupe" <rupe32927@earthlink.net>  
**To:** "Commissioner, D4" <D4.Commissioner@brevardfl.gov>; "Commissioner, D3" <d3.commissioner@brevardfl.gov>; "Commissioner, D5" <D5.Commissioner@brevardfl.gov>; "Commissioner, D1" <D1.Commissioner@brevardfl.gov>  
**Cc:** "Commissioner, D2" <D2.Commissioner@brevardfl.gov>; "Abbate, Frank B" <Frank.Abbate@brevardfl.gov>; "Bentley, Eden" <Eden.Bentley@brevardfl.gov>; "David Berman" <dberman@floridatoday.com>  
**Sent:** Tuesday, February 12, 2019 9:44 AM  
**Subject:** Fw: Use of a private phone/email address for county business

Honorable Commissioners,

I received this email last night from Commissioner Lober. I had ask for a public Record Request to verify statements made by Commissioner Lober at the January 22nd meeting on CSC. According to Lober he was using a private cell phone to conduct County business. I asked the question of the County Attorney, see below, and have been told that I cannot do that. Also that I abuse County staff, after all the years working with Commission and staff for a better quality of life for Brevard residents. Perhaps I should send a resume and list of awards from County and Groups. I was told to get rid of the quote from Plato that is at the end of my emails, along with other Insults. It must have made an impression.

This email from Commissioner Lober was an attempt to deny me my Rights as an American and Citizen of Brevard and Florida.

This email is an attempt to bully and insult me. The bullying doesn't work, but the insults do. Anyone who calls me a Liar doesn't know me.

I cannot imagine any Commissioner condoning this behavior whatever the politics involved. This is the same to me as if he had read this out at a Commission meeting.

If he wouldn't do this, perhaps I should. Commissioner Lober will never take away my Rights as I will never give them up. I have Free Speech too.

Sincerely

Maureen Rupe.

**From:** Commissioner, D2  
**Sent:** Monday, February 11, 2019 7:36 PM  
**To:** Maureen Rupe ; Bentley, Eden  
**Cc:** Abbate, Frank B ; Commissioner, D2 ; dberman@floridatoday.com ; Tom Palermo ; Giles Malone  
**Subject:** RE: Use of a private phone/email address for county business

Ms. Rupe:

Thank you for having copied me on your recent message to County Attorney Eden Bentley and County Manager

Frank Abbate.

Unless Attorney Bentley has previously indicated that she does not object to your addressing her by first name, I kindly ask that you consider addressing her either as Ms. Bentley or Attorney Bentley, as would and ought to be expected in polite society. I believe Ms. Bentley has earned this over a distinguished career of hard work on behalf of Brevard County.

I'm going to thoroughly address your recent email in the order in which your comments are contained therein. First, if you genuinely possess the erroneous belief that I "could not conduct county business on a private cell phone," as I've openly and unambiguously indicated I have done, you are entitled to continue operating with this erroneous legal conclusion in mind. Please be advised that social media is not a good source for legal information.

Moreover, your mischaracterization of the statements contained in my email replying to your public records request is telling. You indicated, in pertinent part, I "could not remember how many calls [I] had taken on this private phone in relation to the Children's Services issue, and that [I] had not taken note of their names or what they had said..."

Your statement is, at best, tremendously misleading. My timely reply, which you incorrectly referenced, stated verbatim as follows:

"Please find below records from my cell that may pertain, even if only in part, to the CSC. The records may well be overly inclusive as I do not recall the nature of each and every call. Again, these are from my cell phone. I will request that Kika check the call log, in the office, to see if it is notated which particular calls pertained to the CSC. It is unlikely that all calls pertaining to the CSC were notated as quite a few were in favor of dissolution without any particularly noteworthy or unique commentary."

As I clearly indicated, there was a possibility that one or more calls not pertaining to the CSC may have been inadvertently included. Erring on the side of caution, I produced records of each and every call that I had reason to suspect referenced the CSC. The manner in which your recent email reads suggests that records were withheld, which is unambiguously not the case.

My statement regarding not necessarily having notes regarding each and every call did not, in any way, pertain to my cellular phone. It pertained to the office telephone as could be derived from the context in which the statement was made. In English, a particular statement typically refers to the immediate past item upon which an author has commented. Apparently, this was missed by you. If this is not the case, the only alternative is that you knew this and simply lied. Had you asked me instead of making false allegations, I would happily have cleared this up without the need to highlight your mistake to other individuals.

If you are aware of one or more law(s) requiring that my office memorialize each and every call relating to the county commission, in writing, please educate me because that would be the first I will have heard of any such requirement.

I have news for you: In this country, the United States of America, which prizes freedom, one is entitled to do whatever one would like so long as there is no law proscribing it. You are free to dislike the laws of this nation just as I am free to continue saving taxpayer funds by avoiding the unnecessary expense of a county-issued cell phone which, incidentally, would resulted in absolutely nothing additional having to be disclosed pursuant to a Chapter 119, Fla. Stat., request.

Something interesting to note is that I had zero obligation to advise that the calls referenced were received on

my cell phone. I volunteered this information to be fully candid. Apparently, no good deed goes unpunished... assuming, of course, the good deed was done by someone with whom you disagree politically.

Moving on, you misleadingly indicated, in pertinent part, that you, "recall a similar situation [you] had with then Commissioner Trudi Infantini..." That's patently false. As I understand it, in a nutshell, you unreasonably requested to sit in her office and review and every email and either were unaware or could have cared less for the exceptions to Chapter 119, Fla. Stat., provided for by 119.071, Fla. Stat.

You correctly and lawfully were prohibited from doing as you pleased and you were apparently upset by this to the extent that the newspaper was unnecessarily involved. I'll save you the time by copying Florida Today on this message as I have nothing to hide and do not wish to allow you to mischaracterize my statements yet again as you have a documented history of doing.

As to your request that County Attorney Eden Bentley advise you on the state of the law with respect to whether conducting county business on a private phone or email account is permissible, she will not be doing this for you. Attorney Bentley is not obliged to provide legal advice for each and every resident of Brevard County. Her position entails providing legal advice for county employees including commissioners. To have otherwise would potentially result in chaos and an unreasonable expenditure of taxpayer funds. Moreover, asking Attorney Bentley to provide legal advice which could, even theoretically, be in conflict with the obligations she owes her employer is, if asked mistakenly, tactless or, if asked knowingly, repugnant.

If you wish to delve into the state of the law, I suggest you contact the Florida Bar Lawyer Referral Service and retain an attorney, on your dime, who will be able to advise you accordingly. You are also free to file an ethics complaint or a grievance, against me or anyone else of your choosing, with any entity you desire.

In sum, you misleadingly mischaracterized multiple communications, you will not be entitled to pro bono services by the County Attorney or her staff, and you are welcome to seek legal advice from an attorney you retain, with your own funds, and proceed accordingly.

I am putting you on notice that I vigorously pursue all lawful remedies against those who publicly defame me and I have no qualms making public examples of those who are imprudent enough to do so. While you are welcome to say what you'd like, I strongly advise you to fact check any disparaging comments you may otherwise consider publishing.

Apologies, after the fact, will not be sufficient as my due diligence has revealed that you may have a history of making unreasonable public records requests and you may have a history of complaining about not receiving what you have no lawful right to inspect. My research additionally suggests that you have a history of doing this, not to obtain any particular information, but for the actual purpose of inconveniencing those on the opposite side of the political spectrum.

Instead of engaging in anything approaching intelligent debate, people like you would rather incite polarization of those with differing views. That would be fine but for the burden your antics put on county staff, hence this rather strong response to you.

As a taxpayer, I resent your continuing abuse of county staff. They have difficult jobs to conduct and you should be ashamed of your tactics and, by extension, the burden your conduct places on well-intentioned government employees.

You're welcome, in advance, for again timely replying to your inquiry. I imagine you appreciated the timeliness and thoroughness of my previous but simply forgot the common courtesy of saying so.

Lastly, as a friendly suggestion, you may wish to revise or remove the quote at the base of your signature block. You'd be hard pressed to find your "inferior" at any level of elected government- all the more so when it comes to manners and civility.

Truly,

Bryan A. Lober

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**From:** Maureen Rupe [mailto:rupe32927@earthlink.net]  
**Sent:** Monday, February 11, 2019 5:40 PM  
**To:** Bentley, Eden  
**Cc:** Abbate, Frank B; Commissioner, D2  
**Subject:** Use of a private phone/email address for county business

Good Morning Eden,

I have a couple of questions please: After reading Commissioner Lober's Public Record reply, I thought a commissioner could not conduct county business on a private cell phone. In addition, Commissioner Lober stated in the public record request reply, that he could not remember how many calls he had taken on this private phone in relation to the Children's Services issue, and that he had not taken note of their names or what they had said, but he stated they were overwhelmingly for repeal of the services.

I recall a similar situation I had with then Commissioner Trudi Infantini, and request whether you could tell me how the Law stands on this matter of conduction public business on a private phone or email account. Thank you.

Cheerio,  
 Maureen

"One of the penalties for refusing to participate in government is that you end up being governed by your inferiors." – Plato

**From:** Golan, Kika  
**Sent:** Friday, January 25, 2019 9:13 AM  
**To:** Lober, Bryan; Foll, Nadia  
**Cc:** Bentley, Eden; Van, Fritz; Cummings, Cathleen; PublicRecordsRequest  
**Subject:** Re: Children Services Council - PRR 9994

Good morning,

Regarding the call log from our office, the following are the only calls I can recall were about the CSC, both in favor of dissolution:

Date: 21-Jan-19  
 Time: 6:57 pm

Name: Alex

Date: 21-Jan-19

Time: 8:08 am

Name: Connie Smith

Thank you,

Kika Golan

Aide to County Commissioner, District 2

Merritt Island Service Complex

2575 North Courtenay Parkway Suite 200

Merritt Island, Florida 32953

Ph: (321) 454-6601

Fax: (321) 454-6602

E-Mail: Kika.Golan@BrevardFL.gov

Under Florida law, all correspondence sent to this office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail or your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

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**From:** Lober, Bryan

**Sent:** Thursday, January 24, 2019 1:32:02 PM

**To:** Foll, Nadia

**Cc:** Bentley, Eden; Van, Fritz; Cummings, Cathleen; PublicRecordsRequest; Golan, Kika

**Subject:** RE: Children Services Council - PRR 9994

Nadia:

Please find below records from my cell that may pertain, even if only in part, to the CSC. The records may well be overly inclusive as I do not recall the nature of each and every call. Again, these are from my cell phone. I will request that Kika check the call log, in the office, to see if it is notated which particular calls pertained to the CSC. It is unlikely that all calls pertaining to the CSC were notated as quite a few were in favor of dissolution without any particularly noteworthy or unique commentary.

Kind regards,

Bryan

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Date (-05:00)	Time (-05:00) ± 5 min	Caller Name	Type	Duration (if known)
23-Jan-19	5:27 PM	Kim Rezanka	Missed call	
22-Jan-19	8:56 AM	Kim Rezanka	Outbound	
21-Jan-19	2:03 PM	Kim Rezanka	Missed call	
23-Jan-19	5:27 PM	Kim Rezanka	Missed call	

18-Jan-19	5:41 PM	Kim Rezanka	Outbound	1:30
21-Jan-19	2:31 PM	Connie Smith	Inbound	
21-Jan-19	2:12 PM	Connie Smith	Outbound	
21-Jan-19	2:06 PM	Connie Smith	Inbound	
21-Jan-19	1:13 PM	Connie Smith	Outbound	
21-Jan-19	8:01 AM	Connie Smith	Missed call	
20-Jan-19	1:33 PM	Susan Hodgers	Outbound	
6-Jan-19	12:32 PM	Susan Hodgers	Inbound	
5-Jan-19	7:48 PM	Susan Hodgers	Outbound	
5-Jan-19	5:54 PM	Susan Hodgers	Missed call	
22-Jan-19	11:04 PM	Tom Palermo	Outbound	15:56
14-Jan-19	6:09 PM	Randy Fine	Inbound	
11-Jan-19	11:11 AM	Wayne Ivey	Inbound	6:41

Bryan A. Lober  
 County Commissioner, District 2  
 Merritt Island Service Complex  
 2575 North Courtenay Parkway Suite 200  
 Merritt Island, Florida 32953  
 Ph: (321) 454-6601  
 Fax: (321) 454-6602  
 E-Mail: [D2.Commissioner@BrevardFL.gov](mailto:D2.Commissioner@BrevardFL.gov)

This message may have been sent on a mobile device. Please forgive any typos.

Under Florida law, all correspondence sent to this office, which is not exempt or confidential pursuant to Chapter 119 of the Florida Statutes, is public record. If you do not want the public record contents of your e-mail or your e-mail address to be provided to the public in response to a public records request, please do not send electronic mail to this entity. Instead, contact this office by phone or in writing.

**From:** PublicRecordsRequest  
**Sent:** Thursday, January 24, 2019 12:23 PM  
**To:** [rupe32927@earthlink.net](mailto:rupe32927@earthlink.net)  
**Cc:** Bentley, Eden; Lober, Bryan; Van, Fritz; Cummings, Cathleen  
**Subject:** Re: Children Services Council - PRR 9994

Good afternoon,

Brevard County is in receipt of your below public records request and your request has been forwarded to the appropriate departments and/or personnel to research.

Please be advised that there may be costs associated with the County's response to your request. Per Brevard County AO-47, extensive staff time is defined as any time after the first one-half hour that it

takes to research, gather or process the public records request, as well as the time spent with the requestor to review the records. We will provide you with a cost estimate prior to fulfilling your request and this estimate should include the cost of the time required for redacting any exempted information as well as the time spent reviewing emails generated through the IT department. Brevard County requires a deposit of 50% of the estimated duplication and staff time fees up front before starting the work to gather or research or duplicate records. Additionally the County will collect the remaining balance prior to release of the records, or reimburse any amount necessary should the amount collected be more than the actual cost of resources used. A copy of AO-47 is attached for your review.

Should you have any questions, please feel free to contact me.

**Nadia Foll**  
**Staff Support Specialist – Legal**  
**Public Records Request Coordinator**  
**County Attorney's Office**  
**2725 Judge Fran Jamieson Way, Bldg C**  
**Viera, Florida 32940**  
**Telephone: (321) 633-2090**



Under Florida law, e-mail addresses are public records. If you do not want your e-mail address released to a public records request, do not send electronic mail to this entity. Instead, contact this office by phone or in writing. Pursuant to BCC-32 policy approved and dated August 26, 2010.

**From:** Roth, Joy  
**Sent:** Wednesday, January 23, 2019 11:26 AM  
**To:** PublicRecordsRequest  
**Subject:** FW: Public Records Request

Please add the request by Ms. Rupe in the PRR system. Thank you.

**From:** Abbate, Frank B  
**Sent:** Wednesday, January 23, 2019 8:40 AM  
**To:** Roth, Joy  
**Subject:** FW: Public Records Request

Joy:

Please process with the County Attorney's Office as a public records request and follow up with Ms. Rupe to let her know we are processing the request.

Thanks,

Frank

**From:** Maureen Rupe [mailto:rupe32927@earthlink.net]  
**Sent:** Tuesday, January 22, 2019 9:26 PM  
**To:** Abbate, Frank B  
**Subject:** Public Records Request

Dear Frank,

Could I receive a copy of all the emails and phone calls to Commissioner Bryan Lober concerning the Children Services Council.

Thank you.

Cheerio,  
Maureen Rupe  
321-639-6839

“One of the penalties for refusing to participate in government is that you end up being governed by your inferiors.” - Plato