

**ALABAMA ETHICS COMMISSION
MINUTES**

**February 1, 2023
9:30 a.m.
9th Floor, RSA Union Building
Montgomery, Alabama**

The Alabama Ethics Commission met on February 1, 2023, at 9:30 a.m. in the Purchasing Division Auditorium on the 9th Floor of the RSA Union Building.

Commission Members Present:

Honorable John Plunk, Chair
Honorable Lyn Stuart, Ret. Chief Justice, Vice-Chair
Honorable Stanton H. McDonald, Member
Honorable BG (R) Edward Crowell (USAF), Member

Commission Members Absent:

Commission Staff Present:

Thomas B. Albritton, Executive Director
Brian Paterson, Assistant General Counsel
Cynthia Raulston, Special Assistant to the Director
Byron Butler, Executive Assistant to the Director
Chris Clark, Chief Special Agent
Dustin Lansford, Senior Special Agent
Brian Baker, Special Agent
Chris McCay, Special Agent
Melvin Howard, Special Agent
April Innes, Special Investigator
Cara Stapleton, Special Investigator
Kayla Pfeil, Lobbyist/Principal Liaison

Mr. Plunk served as chair for the meeting, called the meeting to order at 9:45 a.m. and introduced Mr. McDonald, who gave the invocation.

Old Business:

Approval of the minutes from the December 9, 2022, meeting:

General Crowell moved to adopt the minutes as written. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

New Business:

**Advisory Opinion No. 2023-01
Requested by Morgan Arrington of Arrington Law, LLC, Pike Road, Alabama**

Mr. Paterson explained the request for Advisory Opinion No. 2023-01. **Chief Justice Stuart moved to adopt Advisory Opinion No. 2023-01 as written. General Crowell seconded the motion. Motion passed 3-1 with all those present voting.** *Opinion No. 2023-01 holds that the Ethics Act does not prohibit a public employee who is the E-911 Director of the Pike County Emergency Communications District from establishing a private consulting company and providing services to a company that has interacted with him in his public position to provide goods or services to member agencies and departments with the Pike County ECD provided he does not use his position to benefit himself or his consulting company and has not already used his position to create the opportunity for himself or his business. the Ethics Act does not restrict member agencies and departments of the Pike County ECD from procuring goods or services from a company that is a client of the E-911 Director's private consulting company. A public employee whose consulting company provides services to another company, which is not a business with which the public employee is associated, should avoid promoting the company and their products to member agencies and departments. A public employee shall not solicit or receive any money in addition to that received by the public employee in an official capacity for advice or assistance on matters concerning the Legislature, lobbying a legislative body, an executive department or any public regulatory board, commission or other body of which he or she is a member. This opinion extends only to the restrictions of the Ethics Act and applies only to the facts presented.*

FCPA Appeals

Benjamin Allen Treadaway

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. **Chief Justice Stuart moved to set aside penalty and offense. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

Monroe County Democratic Executive Committee

Mr. Paterson explained the request for the Civil Penalty Appeal. Mike Jones, General Counsel, Alabama Secretary of State was present to speak and answer any questions. Gwendolyn Richardson, Treasurer spoke on behalf of the Monroe County Democratic Executive Committee. **General Crowell moved to set aside the penalties and offenses. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.**

At 10:17 a.m. General Crowell moved that the Commission go into Executive Session. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

At 11:35 a.m. Chief Justice Stuart moved that the Commission go back into Open Session. General Crowell seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2022-0069

Darren Woodruff, Council Member, City of Russellville

General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Darren Woodruff, has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0281

Jerry Mitchell, Member, Town of Killen Planning Commission

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Jerry Mitchell has committed a minor violation of the Alabama Ethics Act, and further moved that this case be handled administratively and referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0341

Pete Moore, Crew Leader, City of Guntersville

Chief Justice Stuart moved that based on the evidence as presented to this Commission, probable cause exists that Pete Moore violated the Alabama Ethics Act, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0180

Jennifer Green, Director, Center of Economic Development, Jacksonville State University

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Jennifer Green, has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0348

Seddrick Hill, Sr., City Manager, City of Talladega

General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Seddrick Hill, Sr., has violated the Alabama Ethics Act. He further moved that this case be closed. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.

Cases Recommended for Dismissal

The following cases were presented to the Commission by Executive Director Albritton, with the recommendation that they be dismissed: Case No. 2022-0096; Case No. 2022-0165; Case No. 2022-0198; Case No. 2022-0199; Case No. 2022-0200; Case No. 2022-0201; Case No. 2022-0202; Case No. 2022-0203; Case No. 2022-0204; Case No. 2022-0205; Case No. 2022-0206; Case No. 2022-0207; Case No. 2022-0208; Case No. 2022-0209; Case No. 2022-0217; Case No. 2022-0220; Case No. 2022-0283; Case No. 2022-0428; Case No. 2022-0430 and Case No. 2022-0445. Chief Justice Stuart moved that the Commission dismiss the cases as recommended. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2018-0353

Robbie Mangum, Education Administrator I, Alabama State Department of Education

Chief Justice Stuart moved that on April 3, 2019, the Alabama Ethics Commission unanimously found Robbie Mangum, Education Administrator I, Alabama State Department of Education, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative

resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 15th Judicial Circuit who approved the administrative resolution on or before December 9, 2022. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$159.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 29, 2023; 2) Restitution in the amount of \$4,841.00 be ordered to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 29, 2023 and disbursed to Alabama State Department of Education thereafter. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2021-0417

Londa Dewayne McCarver, Deputy Chief of Police, City of Huntsville

Chief Justice Stuart moved that on December 9, 2022, the Alabama Ethics Commission unanimously found Londa Dewayne McCarver, Deputy Chief of Police, City of Huntsville, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 23rd Judicial Circuit who approved the administrative resolution on or before January 11, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$300.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 29, 2023; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0299

Angel Santiago, Former Police Officer, City of Huntsville

Chief Justice Stuart moved that on December 9, 2022, the Alabama Ethics Commission unanimously found Angel Santiago, Former Police Officer, City of Huntsville, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 23rd Judicial Circuit who approved the administrative resolution on or before January 11, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$300.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 29, 2023; 2) Restitution in the amount of \$115.65 was paid to the Ethics Commission on or about October 22, 2022, and will be disbursed to City of Huntsville thereafter. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Case No. 2022-0354

Joshua Todd Parker, Fire Chief, Town of Thorsby

Chief Justice Stuart moved that on December 9, 2022, the Alabama Ethics Commission unanimously found Joshua Todd Parker, Fire Chief, Town of Thorsby, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 19th Judicial Circuit who approved the administrative resolution on or before January 24, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$300.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before

March 29, 2023; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.

Other Matters

Case No. 2022-0226

Lori Blackmon, Employee, Jacksonville State University

Chief Justice Stuart moved that on December 9, 2022, the Alabama Ethics Commission unanimously found Lori Blackmon, Employee, Jacksonville State University, had committed one (1) minor violation of the Alabama Ethics Act and approved an administrative resolution at the request of the Respondent. The Commission forwarded the case to the District Attorney of the 7th Judicial Circuit who approved the administrative resolution on October 26, 2022. Accordingly, I hereby move as follows: On December 9, 2022, an administrative penalty in the amount of \$1,000.00 was ordered by the Commission. The Commission hereby approves a payment plan with monthly installments in the amount of \$75.00, to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before March 3, 2023. Mr. Plunk seconded the motion. Motion passed 4-0 with all those present voting.

Adjournment

There being no further business at 11:47 a.m., General Crowell moved that the meeting be adjourned, and Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.

The next regularly scheduled meeting of the Commission is April 5, 2023.



John Plunk, Chair



Thomas B. Albritton, Executive Director



Byron Butler, Recording Secretary