

**ALABAMA ETHICS COMMISSION
MINUTES**

**September 5, 2018
9:30 a.m.
9th Floor, RSA Union Building
Montgomery, Alabama**

The Alabama Ethics Commission met for a specially called meeting on September 5, 2018, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9th Floor of the RSA Union Building.

Present:

Honorable Jerry L. Fielding, Ret. Sr. Circuit Judge, Chair
Honorable Frank C. Ellis, Jr., Esq., Vice Chair
Honorable Beverlye Brady, Esq., Member
Honorable John Plunk, Esq., Member
Cynthia Propst Raulston, General Counsel
Theresa Davis, Legal Research Assistant
R. Christopher Clark, Chief Special Agent
Jessica L. Grant, Administrative Support Assistant III
Vicky Manning, Lobbyist Liaison
Sara Frost, Administrative Support Assistant
Austin Gilmore, Clerk
Gretta Duckett, Court Reporter

Absent:

Honorable Charles Price, Ret. Presiding
Circuit Judge, Member
Thomas B. Albritton, Executive Director

Judge Fielding called the meeting to order at 9:42 a.m.

New Business:

Alabama Road Builders Association

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018 was outside of the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal. Ms. Raulston then explained the request for the Civil Penalty Appeal for May 29, 2018. *Mr. Ellis moved to set aside the civil penalty for May 29, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Rich Anderson

Ms. Raulston explained that the request for the Civil Penalty Appeal for June 25, 2018 was outside of the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Deborah Lynne Barros-Smith

Ms. Raulston explained the request for the Civil Penalty Appeal. *Ms. Brady moved to set aside the civil penalty for June 25, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

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Will Benton

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018 and April 3, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Phillip Brown

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018 and April 3, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Prince Chestnut

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalty for May 31, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Merika Coleman

Ms. Raulston explained that the request for the Civil Penalty Appeal for December 4, 2017, January 3, 2018, February 2, 2018, and March 2, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Fayette County Republican Executive Committee

Ms. Raulston explained that the request for the Civil Penalty Appeal for May 14, 2018 and May 29, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Franklin Fortier, Jr.

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018, April 3, 2018, and June 1, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Deidre Ruth Harkless

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018, April 3, 2018, May 2, 2018, May 14, 2018, and May 21, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal. Ms. Raulston then explained the request for the Civil Penalty Appeal for June 1, 2018. *Mr. Ellis moved to set aside the civil penalty for June 1, 2018. Mr. Plunk seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and one nay (Brady). (Judge Price was not present to vote.)*

HAWK PAC

Ms. Raulston explained that the request for the Civil Penalty Appeal for August 2, 2017, September 5, 2017, October 3, 2017, November 2, 2017, December 4, 2017, January 3, 2018, February 2, 2018, March 2, 2018, April 3, 2018, and May 2, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

William Hobbs

Ms. Raulston explained that the request for the Civil Penalty Appeal for April 3, 2018, May 2, 2018, May 14, 2018, May 21, 2018, and May 29, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

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Ozelle Lewis Hubert

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018, April 3, 2018, May 2, 2018, May 14, 2018, May 21, 2018, and May 29, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Ozelle Hubert was present to speak and answer any questions.

Brittany Jones-Alexander

Ms. Raulston explained that the request for the Civil Penalty Appeal for February 2, 2018 and March 2, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Samuel King

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018 is outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Laborers Local 559 Political Fund

Ms. Raulston explained the request for the Civil Penalty Appeal. *Ms. Brady moved to set aside the civil penalty for July 9, 2018 and July 16, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Burton Leflore

Continued to October 3, 2018 Commission Meeting.

Petts L. Lockett

Ms. Raulston explained that the request for the Civil Penalty Appeal for May 14, 2018, May 21, 2018, May 29, 2018, June 1, 2018, and July 3, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

David Evan Miller

Ms. Raulston explained that the request for the Civil Penalty Appeal for May 14, 2018 and June 1, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal. Ms. Raulston then explained the request for the Civil Penalty Appeal for April 3, 2018. *Mr. Plunk moved to reduce the civil penalty for April 3, 2018 from \$240.20 to \$117.74. Mr. Ellis seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and one nay (Brady). (Judge Price was not present to vote.)*

Morgan County Democratic Executive Committee

Ms. Raulston explained the request for the Civil Penalty Appeal. Marsha McLemore was present to speak and answer any questions. *Mr. Ellis moved to reduce the civil penalty total from \$1441.26 to \$799.55. Mr. Plunk seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and one nay (Brady). (Judge Price was not present to vote.)*

Nurse Practitioner Alliance of Alabama (NPAA)

Ms. Raulston explained that the request for the Civil Penalty Appeal for January 3, 2018, February 2, 2018, March 2, 2018, April 3, 2018, May 14, 2018, May 29, 2018 and June 1, 2018 are outside the

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14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Mark L. Pettway

Ms. Raulston explained the request for the Civil Penalty Appeal. *Ms. Brady moved to set aside the civil penalty for July 16, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Chester Porter

Ms. Raulston explained that the request for the Civil Penalty Appeal for April 3, 2018, May 2, 2018, May 14, 2018, May 21, 2018, May 29, 2018, and June 1, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Wanda McVay Pouncey

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalties for April 3, 2018, May 2, 2018, May 14, 2018, and May 21, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Russell D. Price

Ms. Raulston explained the request for the Civil Penalty Appeal. *Ms. Brady moved to set aside the civil penalty for June 25, 2018, July 3, 2018, and July 9, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Eric Christian Redd – Limestone County

Ms. Raulston explained that the request for the Civil Penalty Appeal for March 2, 2018 is outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

Republican Women of Huntsville – Teresa Terrell

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Ellis moved to set aside the civil penalties for May 14, 2018 and May 21, 2018. Mr. Plunk seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and one nay (Brady). (Judge Price was not present to vote.)*

James Daniel Rich

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalty for June 25, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Gary Richardson

Ms. Raulston explained the request for the Civil Penalty Appeal. Gary Richardson was present to speak and answer any questions. Brent Beal, Deputy Attorney General, Alabama Secretary of State Office was present to speak and answer any questions. *Ms. Brady moved to set aside the civil penalties for March 2, 2018, April 3, 2018, May 2, 2018, May 14, 2018, May 21, 2018 and May 29, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

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Beverly Prince Spencer

Ms. Raulston explained that the request for the Civil Penalty Appeal for February 2, 2018, March 2, 2018, and May 14, 2018 are outside the 14-day window for an appeal to be filed and therefore outside the Ethics Commission's jurisdiction to hear the appeal.

South Alabama PAC for Higher Education – Nick Lawkis

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Ellis moved to set aside the civil penalty for July 25, 2018. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Shane Stringer

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalty for July 12, 2018. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

SUNPAC – Nick Lawkis

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Ellis moved to set aside the civil penalty for July 25, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Talladega County Republican Party

Ms. Raulston explained the request for the Civil Penalty Appeal for June 1, 2018. *Ms. Brady moved to set aside the civil penalty for June 1, 2018. Mr. Ellis seconded the motion. Motion passed with three ayes (Brady, Ellis, and Plunk) and one abstention (Fielding). (Judge Price was not present to vote.)*

Tuscaloosa Fire Fighter's Public Relations Fund

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalty for August 2, 2018. Mr. Ellis seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and one nay (Brady). (Judge Price was not present to vote.)*

Marcus Vandiver

Ms. Raulston explained the request for the Civil Penalty Appeal. Marcus Vandiver was present to speak and answer any questions. *Ms. Brady moved to set aside the civil penalties for April 3, 2018 and May 2, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Nicholas "Nick" Shane Welden

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Ellis moved to set aside the civil penalty for June 1, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

Ed White

Ms. Raulston explained the request for the Civil Penalty Appeal. *Ms. Brady moved to set aside the civil penalties for March 2, 2018, April 3, 2018, May 2, 2018, May 14, 2018, May 21, 2018, and*

May 29, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)

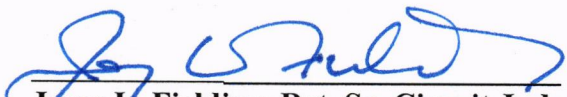
Bernice K. Wright

Ms. Raulston explained the request for the Civil Penalty Appeal. *Mr. Plunk moved to set aside the civil penalties for May 14, 2018, May 21, 2018, and May 29, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)*

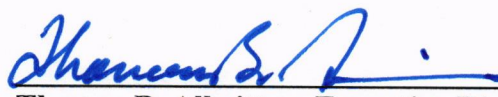
Adjournment

There being no further business, at 11:14 a.m. Mr. Plunk moved that the meeting be adjourned, and Ms. Brady seconded the motion. Motion passed unanimously with all those present voting. (Judge Price was not present to vote.)

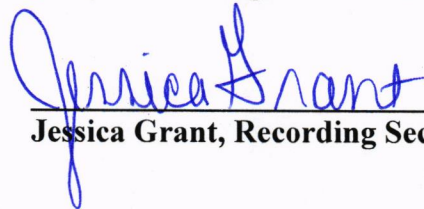
The next regularly scheduled meeting of the Commission is October 3, 2018.



Jerry L. Fielding, Ret. Sr. Circuit Judge, Chair



Thomas B. Albritton, Executive Director



Jessica Grant, Recording Secretary