

**ALABAMA ETHICS COMMISSION
MINUTES**

June 2, 2021

9:30 a.m.

**9th Floor, RSA Union Building
Montgomery, Alabama**

The Alabama Ethics Commission met on June 2, 2021, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9th Floor of the RSA Union Building.

Commission Members Present:

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

Commission Members Absent:

Commission Staff Present:

Thomas B. Albritton, Executive Director
Cynthia Propst Raulston, General Counsel
Brian Paterson, Assistant General Counsel
R. Christopher Clark, Chief Special Agent
Dustin Lansford, Senior Special Agent
Byron Butler, Senior Special Agent
Chris McCay, Special Agent
Brian Baker, Special Agent
April Innes, Administrative Support Assistant II
Austin Gilmore, Administrative Support Assistant I
Mary Johnson, Legal Research Assistant
Breanna Kelley, Administrative Support Assistant I

Other:

Victoria Costello, Court Reporter – Huseby

Ms. Brady called the meeting to order at 9:39 a.m., and introduced Pastor Russell Zwerner, Capitol Heights Baptist Church of Montgomery Alabama, who gave the invocation.

Old Business:

Approval of the minutes from the April 7, 2021 meeting:

Mr. Plunk 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. 2021-05

Requested by Dr. David G. Bronner, Chief Executive Officer of the Retirement Systems of Alabama.

Mr. Paterson explained the request for Advisory Opinion No. 2021-05. Jo Moore, legal counsel, also spoke on behalf of RSA. **Mr. Plunk moved to adopt Advisory Opinion No. 2021-05 as written. General Crowell seconded the motion. Motion passed unanimously with all those present voting. Opinion No. 2021-05 holds that under the Ethics laws, the restriction placed on RSA investment personnel regarding the trade of securities previously traded by RSA is reduced from ten days to three business days.**

RSA investment personnel should not engage in any transaction with respect to any security in the RSA portfolio within three business days after any transaction by RSA with respect to that security.

At 9:49 a.m. General Crowell moved that the Commission go into Executive Session. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

At 12:49 p.m. Chief Justice Stuart moved that the Commission go back into Open Session. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0095

Jonathan Barbee, Constable, District 48, Jefferson County

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Jonathan Barbee has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the Alabama Attorney General. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0298

Crystal Gail Sellers, former Town Clerk, Town of Lake View

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Crystal Gail Sellers has violated the Alabama Ethics Law, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0421

Holly Brewer, Office Associate, University of Alabama

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Holly Brewer has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. General Crowell seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0263

Diamonique Franklin, Rehabilitation Counselor, Department of Rehabilitation

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Diamonique Franklin has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0274

Jerica Seawright, ASA I/Receptionist, Alabama Department of Veteran Affairs

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Jerica Seawright has committed one (1) minor violation of the Alabama Ethics Act. She further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0367

Taneisha Eunice Jones

Mr. McDonald moved that based on the evidence as presented to this Commission, there exists cause to hold that Taneisha Jones has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0433

Anthony Wayne Gauci, Sr., Former, Board of Transportation Foreman, Baldwin County Board of Education

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Anthony Gauci has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0107

Tony Baggett, Board Member, Grand Bay Fire District

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Tony Baggett has committed one (1) minor violation of the Alabama Ethics Act. She further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0176

Tony Baggett, Board Member, Grand Bay Fire District

Chief Justice Stuart moved that based on this complaint being a duplicate of case no. 2021-0107, she moved that this case be dismissed/closed. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0415

Patrick Jolly, Fire Chief, City of Moulton

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Patrick Jolly has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and

appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0399

Jason Millirons, Employee, Gadsden State

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Jason Millirons has committed one (1) minor violation of the Alabama Ethics Act. He further moved that this case be handled administratively, and that it be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. General Crowell seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0006

Jamie Doss, Sergeant, Town of Carrollton

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Sgt. Jamie Doss has violated the Alabama Ethics Law, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. McDonald seconded the motion. Motion passed unanimously 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. 2020-0210; Case No. 2020-0211; Case No. 2020-0212; Case No. 2020-0255; Case No. 2020-0342; Case No. 2021-0016; Case No. 2021-0106; Case No. 2021-0175; Case No. 2020-0267; Case No. 2020-0317; and Case No. 2020-0374. *General Crowell moved that the Commission dismiss the cases as recommended. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2020-0241

Alicia Smith Green, Supervisor, Alcoholic Beverage Control Board

Chief Justice Stuart moved that on April 7, 2021, the Alabama Ethics Commission found Alicia Smith Greene, Supervisor, Alcoholic Beverage Control Board, had committed one (1) minor violation of the Alabama Ethics Act. Alicia Greene requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 10th Judicial Circuit. The administrative resolution has been approved by Danny Carr, District Attorney of the 10th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) an administrative penalty in the amount of \$25.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 2, 2021; and 2) there is no restitution owing for this minor violation. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-0421

Devona Owens-Jones, Financial Support Worker, II, Alabama Department of Human Resources

Chief Justice Stuart moved that on August 5, 2020, the Alabama Ethics Commission found that Devona Owens-Jones, Financial Support Worker, II, Alabama Department of Human Resources,

had committed one (1) minor violation of the Alabama Ethics Act. Alicia Greene requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 2nd Judicial Circuit. The administrative resolution has been approved by Charlotte M. Tesmer, District Attorney of the 2nd Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) an administrative penalty in the amount of \$0.00 is ordered by the Commission; and 2) there is no restitution owing for this minor violation. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0135

Chris Rainey, Employee, Enterprise City School/Houston County Schools

Mr. McDonald moved that on April 7, 2021, the Alabama Ethics Commission found Kris Rainey, employee, Enterprise City Schools/Houston County Schools, had committed one (1) minor violation of the Alabama Ethics Act. Mr. Rainey requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 12th Judicial Circuit. The administrative resolution has been approved by Thomas T. Anderson, District Attorney of the 12th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$50.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 2, 2021; 2) Restitution in the amount of \$1, 541.04 was paid by Kris Rainey on May 14, 2020 to the Enterprise City Schools System.

Case No. 2020-0192

Jeffery Brian Rice, Sr., Captain, Huntsville Police Department

Chief Justice Stuart moved that on April 7, 2021, the Alabama Ethics Commission found Jeffery Brian Rice, Sr., Captain (Precinct Commander, Huntsville Police Department, had committed one (1) minor violation of the Alabama Ethics Act. Captain Rice requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 23rd Judicial Circuit. The administrative resolution has been approved by Robert L. Broussard, District Attorney, of the 23rd Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$580.36 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 2, 2021; 2) Restitution in the amount of \$76.23 is ordered be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 2, 2021 and disbursed to City of Huntsville thereafter.

Case No. 2020-0022

John M. Beehler, Former President, Jacksonville State University

Chief Justice Stuart moved that on April 7, 2021, the Alabama Ethics Commission found Dr. John M. Beehler, Former President, Jacksonville State University, had committed one (1) minor violation of the Alabama Ethics Act. Dr. Beehler requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 7th Judicial Circuit. The administrative resolution has been approved by Brian McVeigh, District Attorney of the 7th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$200.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's

check, money order, or online payment on or before July 2, 2021; 2) there is no restitution owing for this minor violation.

Case No. 2021-0023

Ryan Molt, Former Employee, City of Auburn Parks and Recreation Department

General Crowell moved that on April 7, 2021, the Alabama Ethics Commission found Ryan Molt, former employee, City of Auburn Parks and Recreations Department, had committed one (1) minor violation of the Alabama Ethics Act. Mr. Molt requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 37th Judicial Circuit. The administrative resolution has been approved by Jessica Ventiere, District Attorney, Pro Tem of the 37th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$200.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 2, 2021; 2) There is no restitution owing for this minor violation.

Case No. 2020-0154

Jody Lowery, Employee, City of Lanett

Chief Justice Stuart moved that on December 2, 2020, the Alabama Ethics Commission found Jody Lowery, Employee, City of Lanett, had committed one (1) minor violation of the Alabama Ethics Act. Jody Lowery requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the District Attorney of the 5th Judicial Circuit. The administrative resolution was approved by Jeremy Duerr, District Attorney of the 5th Judicial Circuit. Jody Lowery has requested a payment plan on the remaining balance of \$700.00. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$1,000.00 was ordered by the Commission to be paid to the Ethics Commission. The Commission hereby approves a payment plan including monthly installments of \$100.00 by cashier's check, money order, or online payment on or before December 31, 2021; 2) there is no restitution owing for this minor violation.

Adjournment

There being no further business at 1:09 p.m., General Crowell moved that the meeting be adjourned, and Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

The next regularly scheduled meeting of the Commission is August 4, 2021.


Beverlye Brady, Chair


Thomas B. Albritton, Executive Director


Mary A. Johnson, Recording Secretary