

**ALABAMA ETHICS COMMISSION
MINUTES**

October 6, 2021

9:30 a.m.

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

The Alabama Ethics Commission met on October 6, 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 John Plunk, Chair
Honorable Lyn Stuart, Ret. Chief Justice, Vice-Chair
Honorable Stanton H. McDonald, Member
Honorable BG (R) Edward Crowell (USAF), Member
Honorable Deborah Long, 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, Special Investigator
Austin Gilmore, Administrative Support Assistant I
Mary Johnson, Legal Research Assistant
Breanna Kelley, Administrative Support Assistant I

Other:

Patrick Miller, Court Reporter – Huseby

Mr. Plunk called the meeting to order at 9:47 a.m. and introduced Pastor Mark Osgood, Perry Hill United Methodist Church, Montgomery Alabama, who gave the invocation.

Old Business:

Approval of the minutes from the August 4, 2021 meeting:

General Crowell moved to adopt the minutes as written. Chief Justice Stuart seconded the motion. Motion was passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

New Business:

Appoint a new Chair:

Chief Justice Stuart moved to appoint Mr. Plunk Chair for the Commission. General Crowell seconded the motion. Motion was passed with four ayes (Crowell, Long, McDonald, Stuart) and one abstention (Plunk).

Appoint a new Vice-Chair

General Crowell moved to appoint Chief Justice Stuart as Vice-Chair for the Commission. Ms. Long seconded the motion. Motion was passed with four ayes (Crowell, Long McDonald, Plunk) and one abstention (Stuart).

FCPA Appeals

Cullman County Republican Party

Mr. Paterson explained the request for the Civil Penalty Appeal. Hugh Evans, III, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Mr. McDonald moved to uphold the July 26, 2021 penalties and offenses. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

Ashley Nicole Bell

Mr. Paterson explained the request for the Civil Penalty Appeal. Ms. Bell spoke on her own behalf. Hugh Evans, III, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *General Crowell moved to waive the August 4, 2021 penalties and offenses. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

PAC Shelby County Democratic Executive Committee

Mr. Paterson explained the request for the Civil Penalty Appeal. Hugh Evans, III, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Chief Justice Stuart moved to uphold the first penalty and offense and to waive and remit the second, third and fourth penalties and offenses that were imposed on August 5, 2021. General Crowell seconded the motion. Motion passed unanimously with all those present voting.*

Next Generation Alabama PAC

Mr. Paterson explained the request for the Civil Penalty Appeal. Attorney Steve Shaw and Director Griffith "Griff" Hibbard-Curto spoke on behalf of the Next Generation Alabama PAC. Hugh Evans, III, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Chief Justice Stuart moved to uphold the first and second fines and offenses that were imposed on August 3, 2021 and to dismiss and remit the fines and offenses for three through eight. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.*

At 10:11 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 11:29 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. 2020-0425

Kendra Peoples, CPN Manager, Tuscaloosa City Schools

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Kendra Peoples has committed one 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. General Crowell seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0167

Victor Wade Smith, Former Supervisor Water Services, Shelby County Commission

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Victor Wade Smith has committed one 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. 2020-0418

Vera Lynn Smith, Council Member, Town of Gordon

Ms. Long moved that based on the evidence as presented to this Commission, there exists cause to hold that Vera Lynn Smith has committed one 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. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0419

Priscilla Wilson, Council Member, Town of Gordon

Ms. Long moved that based on the evidence as presented to this Commission, there exists cause to hold that Priscilla Wilson has committed one 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. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2020-0266

Jennifer Packer, Accounting Assistant II, City of Leeds

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Jennifer Packer has violated the Alabama Ethics Law, and further moved that this case 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. 2021-0169

Christy Ferguson, Former Head Softball Coach, Hartselle City Schools

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Christy Ferguson has committed one 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. Ms. Long seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0178

Timothy "Tim" Guffey, Commissioner, Jackson County Commission

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Tim Guffey has committed one 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 Alabama Attorney General's Office. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0105

Karrie Martin, Senior Social Worker, Cullman County DHR

Mr. McDonald moved that based on the evidence as presented to this Commission, there exists cause to hold that Karrie Martin 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. General Crowell seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0187

Tameka Phillips, Former Police Officer, City of Birmingham

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Tameka Phillips has committed one 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. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2021-0188

Dyonta Taylor, Administrative Clerk, City of Birmingham

Mr. McDonald moved that based on the evidence as presented to this Commission, there exists cause to hold that Dyonta Taylor has committed one 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. 2021-0254

Teresa Lindsay, Council Member, Town of Snead

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Teresa Lindsay has committed one 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 Alabama Attorney General's Office. General Crowell 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. 2020-0424; Case No. 2021-0025; Case No. 2021-0149; Case No. 2021-0173; Case No. 2021-0236; Case No. 2021-0209; Case No. 2021-0233; Case No. 2021-0250; Case No. 2021-0228; and Case No. 2021-0235. *General Crowell moved that the Commission dismiss the cases as recommended. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2020-0322

Benjamin Sutton, Captain, City of Homewood

General Crowell moved that on August 4, 2021, the Alabama Ethics Commission found Benjamin Sutton, Captain, City of Homewood, had committed one (1) minor violation of the Alabama Ethics Act. Benjamin Sutton 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 \$2,000.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before November 12, 2021; 2) Restitution in the amount of \$312.30 was paid directly to the City of Homewood by Benjamin Sutton. Chief Justice Stuart seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2020-0421

Holly Brewer, Office Associate University of Alabama

Mr. Plunk moved that on June 2, 2021, the Alabama Ethics Commission found Holly Brewer, Office Associate, University of Alabama, had committed one (1) minor violation of the Alabama Ethics Act. Holly Brewer 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 6th Judicial Circuit. The administrative resolution has been approved by Robert Webb, District Attorney of the 6th 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 November 12, 2021; 2) There is no restitution owing for this minor violation. General Crowell seconded the motion. Motion passed with three ayes (Crowell, McDonald, Plunk) and one abstention (Long) and one recusal (Stuart).

Case No. 2021-0199

Ricky Porter, Principal, Chilton County Board of Education

General Crowell moved that on August 4, 2021, the Alabama Ethics Commission found Ricky Porter, Principal, Chilton County Board of Education, had committed one (1) minor violation of the Alabama Ethics Act. Ricky Porter 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 19th Judicial Circuit. The administrative resolution has been approved by Randall Houston, District Attorney of the 19th 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 November 12, 2021; 2) There is no restitution owing for this minor violation. Mr. Plunk seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2021-0134

Melissa McKee, Former Employee, Alabama Department of Transportation

General Crowell moved that on August 4, 2021, the Alabama Ethics Commission found Melissa McKee, Former Employee, Alabama Department of Transportation, had committed one (1) minor violation of the Alabama Ethics Act. Melissa McKee 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 1st Judicial Circuit. The administrative resolution has been approved by Spencer Walker, District Attorney of the 1st Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$100.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before November 12, 2021; 2) on or about March 25, 2021, Melissa McKee paid restitution in the amount of \$1,305.56 directly to the Alabama Department of Transportation. Mr. McDonald seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2021-0015

Taneya Walker, Freshman Seminar Advisor, Calhoun Community College

Mr. Plunk moved that on August 4, 2021, the Alabama Ethics Commission found Taneya Walker, Freshman Seminar Advisor, Calhoun Community College, had committed one (1) minor violation of the Alabama Ethics Act. Taneya Walker 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 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 \$100.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before November 12, 2021; 2) Restitution in the amount of \$638.49 is ordered be paid to the Ethics Commission by cashier's check, money order, or online payment on or before November 12, 2021 and disbursed to Calhoun Community College thereafter. General Crowell seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk,

Stuart) and one abstention (Long).

Case No. 2021-0091

Greg Mashburn, Former Council Member, City of Scottsboro

Mr. McDonald moved that on August 4, 2021, the Alabama Ethics Commission found Greg Mashburn, Former Councilmember, City of Scottsboro, had committed one (1) minor violation of the Alabama Ethics Act. Greg Mashburn 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 38th Judicial Circuit. The administrative resolution has been approved by Jason Pierce, District Attorney of the 38th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) No administrative fine is ordered by the Commission; 2) There is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2021-0121

Veranda Kate Melton, Executive Director of Capstone Village, University of Alabama

Mr. Plunk moved that on August 4, 2021, the Alabama Ethics Commission found Veranda Kate Melton, Executive Director of Capstone Village, University of Alabama, had committed one (1) minor violation of the Alabama Ethics Act. Veranda Melton 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 6th Judicial Circuit. The administrative resolution has been approved by Robert Webb, District Attorney of the 6th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$1,000.00 is ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before November 12, 2021; 2) there is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2020-0383

Tina Jones, Teacher & Cheer Coach, Huntsville Highschool

General Crowell moved that on August 4, 2021, the Alabama Ethics Commission found Tina Jones, Teacher & Cheer Coach, Huntsville Highschool, had committed one (1) minor violation of the Alabama Ethics Act. Ms. Jones 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, Broussard, District Attorney of the 23rd Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) No administrative fine is ordered by the Commission; 2) There is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2021-0086 & 2021-0094

Andrea Michelle Ragan, Administrative Assistant to Superintendent, Colbert County Schools
Chief Justice Stuart moved that on August 4, 2021, the Alabama Ethics Commission found Andrea “Michelle” Ragan, Administrative Assistant to Superintendent, Colbert County Schools, had committed one (1) minor violation of the Alabama Ethics Act. Ms. Ragan 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 31st Judicial Circuit. The administrative resolution has been approved by Bryce Graham, District Attorney of the 31st Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$500.00 is ordered by the Commission to be paid to the Ethics Commission by cashier’s check, money order, or online payment on or before November 12, 2021; 2) there is no restitution owing for the minor violation. General Crowell seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2020-0112

Sandy Armstrong, Director EARIC, Auburn University
Chief Justice Stuart moved that on February 3, 2021, the Alabama Ethics Commission found Sandy Armstrong, Director EARIC, Auburn University, had committed one (1) minor violation of the Alabama Ethics Act. Ms. Armstrong 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 \$300.00 is ordered by the Commission to be paid to the Ethics Commission by cashier’s check, money order, or online payment on or before November 12, 2021; 2) there is no restitution owing for this minor violation. Mr. McDonald seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Case No. 2021-0124

Wade Connor Whisenant, Pardons & Paroles Officer, Alabama Bureau of Pardons & Paroles
General Crowell moved that on August 4, 2021, the Alabama Ethics Commission found Wade Connor Whisenant, Pardons & Paroles Officer, Alabama Bureau of Pardons & Paroles, had committed one (1) minor violation of the Alabama Ethics Act. Mr. Whisenant 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 16th Judicial Circuit. The administrative resolution has been approved by Joseph “Jody” Willoughby, District Attorney, of the 16th Judicial Circuit. Accordingly, I hereby move that this matter be handled administratively as follows: 1) An administrative penalty in the amount of \$500.00 is ordered by the Commission to be paid to the Ethics Commission by cashier’s check, money order, or online payment on or before November 12, 2021; 2) There is no restitution owing for this minor violation. Chief Justice Stuart

seconded the motion. Motion passed with four ayes (Crowell, McDonald, Plunk, Stuart) and one abstention (Long).

Other

Case No. 2019-0121

Jessica Jackson, Former Employee, Alabama Depart. of Child Abuse and Neglect Prevention
Chief Justice Stuart moved that on February 5, 2020, the Alabama Ethics Commission found Jessica Jackson, Former Employee, Alabama Department of Child Abuse and Neglect Prevention, had committed one (1) minor violation of the Alabama Ethics Act. Jessica Jackson 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 was approved by Danny Carr, District Attorney of the 10th Judicial Circuit. Jessica Jackson has requested a reconsideration to reduce or remit the imposed fine. Accordingly, I hereby move that this matter be handled administratively as follows: On April 1, 2021, an administrative penalty in the amount of \$1,000.00 was ordered by the Commission. The Commission hereby denies the request to reduce or remit the fine in this matter. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

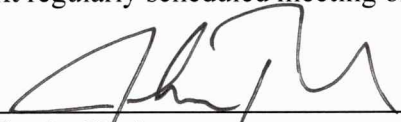
Case No. 2019-0168

Tiffany Sanders, Dean of Student Services, Southern Union Community College
Chief Justice Stuart moved that Tiffany Sanders be given two weeks to formally request in writing for a payment plan. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Adjournment

There being no further business at 11:54 a.m., Chief Justice Stuart moved that the meeting be adjourned, and General Crowell seconded the motion. Motion passed unanimously with all those present voting.

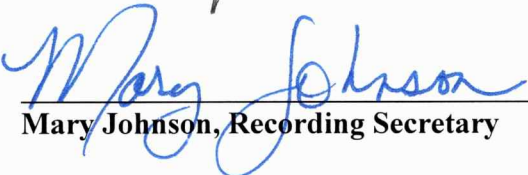
The next regularly scheduled meeting of the Commission is December 1, 2021.



John Plunk, Chair



Thomas B. Albritton, Executive Director



Mary Johnson, Recording Secretary