

**ALABAMA ETHICS COMMISSION  
MINUTES**

**June 7, 2023  
9:30 a.m.  
9<sup>th</sup> Floor, RSA Union Building  
Montgomery, Alabama**

The Alabama Ethics Commission met on June 7, 2023, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9<sup>th</sup> 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  
Byron Butler, Executive Assistant to the Director  
Chris Clark, Chief Special Agent  
Dustin Lansford, Senior Special Agent  
Chris McCay, Senior Special Agent  
Brian Baker, Special Agent  
Dylan Baker, 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 9:33 a.m. and introduced Dr. Daniel Atkins, Associate Pastor at Taylor Road Baptist Church, Montgomery, Alabama, who gave the invocation.

**Old Business:**

Approval of the minutes from the April 5, 2023, 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. 2023-02**

**Requested by Steven “Adam” Spence, Traffic Engineer, Alabama Department of Transportation**

Mr. Paterson explained the request for Advisory Opinion No. 2023-02. **Chief Justice Stuart moved to adopt Advisory Opinion No. 2023-02 as written. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.** Opinion No. 2023-02 holds that a Traffic Engineer for ALDOT may accept employment from an engineering firm that contracts with ALDOT and has interacted with the Traffic Engineer in his public position when he did not participate in the direct regulation, audit, or investigation of that engineering firm while employed with ALDOT. A former employee of ALDOT may not represent the interests of their private-sector employee before ALDOT for a period of two years per Ala. Code § 36-25-13(c). A former employee of ALDOT may not participate in any ALDOT project or other matter for an engineering firm where the former employee participated in the project while employed with ALDOT or where the project was within or under his official responsibilities as a public employee.

### **Advisory Opinion No. 2023-03**

**Requested by Carol E. Clarke, City Council Member, City of Birmingham**

Mr. Paterson explained the request for Advisory Opinion No. 2023-03. **General Crowell moved to adopt Advisory Opinion No. 2023-03 as written. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.** Opinion No. 2023-03 holds that the Ethics Act does not prohibit a public official from accepting employment with a private, nonprofit organization while serving in her public position provided she does not use her position, including any confidential information or equipment, facilities, time, materials, human labor, or other public property under her discretion or control, to obtain the opportunity, she does not regulate the private organization, she does not interact with her employer on behalf of her private entity or vice-versa, and the offer of employment is not made for the purpose of corruptly influencing her official action. A public official may not vote or participate in any matter that would materially affect the financial interest of a business with which she is associated. A copy of any contract entered into between a business with which a public official is associated that is to be paid in whole or in part with state, county, or municipal funds must be filed with the Ethics Commission within ten (10) days after it is entered into.

### **FCPA Appeals**

#### **Stephen McLamb**

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 the penalty and offense. General Crowell seconded the motion. Motion passed unanimously with all those present voting.**

#### **Brian Burnett**

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. **General Crowell moved to set aside the penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.**

**At 9:50 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 10:42 a.m. Mr. McDonald moved that the Commission go back into Open Session. General Crowell seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2022-0351**

**Donald Elswick, (Former) Director of SafeState, University of Alabama**

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

**Case No. 2022-0214**

**Luther Winn, Board Member, Greene County Industrial Development Authority**

*General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Luther Winn 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. 2022-0393**

**Jacob Brown, Facility Manager, Alabama Department of Finance**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Jacob Brown 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. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0068**

**David Eckman, Park Ranger II, City of Foley**

*General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that David Eckman 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. 2023-0069**

**Tara Odom, Employee, City of Loxley**

*General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Tara Odom 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. 2022-0325**

**Jasmine James, Staff Accountant, Alabama Department of Rehabilitation Services**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, probable cause exists that Jasmine James 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. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0031**

**Cody Willingham, Teacher, Fort Payne City Schools**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Cody Willingham 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. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0032**

**Terry Kisor, Teacher, Fort Payne City Schools**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Terry Kisor 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. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0034**

**Carol Waites, Child Nutrition Program Manager, Fort Payne City Schools**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Carol Waites 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. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2023-0045**

**Jonathan Far, Employee, Randolph County Board of Education**

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

**Case No. 2023-0046**

**Jerrell Burns, Employee, Randolph County Board of Education**

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

**Case No. 2023-0047**

**Patrina Angel, Employee, Randolph County Board of Education**

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

**Case No. 2023-0048**

**Matt Fendley, Employee, Randolph County Board of Education**

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

**Case No. 2023-0049**

**Hayley Hutchinson, Employee, Randolph County Board of Education**

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

**Case No. 2023-0050**

**Shehan Motley, Employee, Randolph County Board of Education**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Shehan Motley, has violated the Alabama Ethics Act. She further moved that this case be closed. General Crowell 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. 2022-0239; Case No. 2022-0316; Case No. 2022-0331; Case No. 2022-0375; Case No. 2022-0386; Case No. 2022-0399 and Case No. 2023-0086.** *General Crowell moved that the Commission dismiss the cases as recommended. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

**Case No. 2020-0399**

**Jason Millirons, Employee, Gadsden State Community College**

*Mr. Plunk moved that on June 2, 2021, the Alabama Ethics Commission unanimously found Jason Millirons, Employee, Gadsden State Community College, 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 16<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before April 7, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$500.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 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. 2022-0048**

**Chris Logan, Groundskeeper, Jacksonville State University**

**Mr. McDonald moved that on April 5, 2023, the Alabama Ethics Commission unanimously found Chris Logan, Groundskeeper, 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 7<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before April 26, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$200.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 2023; 2) There is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.**

**Case No. 2022-0067**

**Tracy Jones, Rehabilitation Counselor, Alabama Department of Rehabilitation Services**

**Mr. McDonald moved that on April 5, 2023, the Alabama Ethics Commission unanimously found Tracy Jones, Rehabilitation Counselor, Alabama Department of Rehabilitation Services, 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 22<sup>nd</sup> Judicial Circuit who approved the administrative resolution on or before April 28, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$400.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 2023; 2) There is no restitution owing for this minor violation. Chief Justice Stuart seconded the motion. Motion passed 4-0 with all those present voting.**

**Case No. 2022-0349**

**DeeAnn White, Education and Outreach Director, Alabama Department of Public Health**

**Chief Justice Stuart moved that on April 5, 2023, the Alabama Ethics Commission unanimously found DeeAnn White, Education and Outreach Director, Alabama Department of Public Health, 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 15<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before April 19, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$200.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 2023; 2) Restitution in the amount of \$95.00 be ordered to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 2023 and disbursed to Alabama Department of Public Health thereafter. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.**

**Case No. 2022-0444**

**Chris Grindle, Employee, University of Alabama**

**General Crowell moved that on April 5, 2023, the Alabama Ethics Commission unanimously found Chris Grindle, Employee, University of Alabama, 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 6<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before April 18, 2023. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$100.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 26, 2023; 2) There is no restitution owing for this minor violation. Mr. McDonald seconded the motion. Motion passed 4-0 with all those present voting.*

## **Other Matters**

### **Case No. 2016-0074**

**Ralph Hakel, Alabama Department of Public Health, Lee County**

*Chief Justice Stuart moved that on August 4, 2016, the Alabama Ethics Commission unanimously found Ralph Hakel, Alabama Department of Public Health, Lee County, had committed two (2) 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 Attorney General of the State of Alabama who approved the administrative resolution. Mr. Hakel has requested a payment plan. Accordingly, I hereby move as follows: 1) On December 19, 2018, 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 \$100.00 on the remaining balance of \$1,000.00, to be paid to the Ethics Commission by cashier's check, money order, or online payment to be paid in full no later than April 30, 2024. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

### **Case No. 2022-0226**

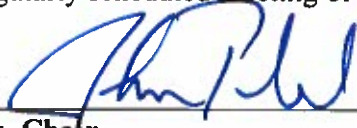
**Lori Blackmon, Employee, Jacksonville State University**

*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 7<sup>th</sup> Judicial Circuit who approved the administrative resolution on October 26, 2022. Accordingly, I hereby move as follows: 1) On December 9, 2022, an administrative penalty in the amount of \$1,000.00 was ordered by the Commission. On February 1, 2023, the Commission approved a payment plan with monthly installments in the amount of \$75.00. The Commission hereby approves a payment plan reduction with monthly installments in the amount of \$25.00, to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before July 7, 2023. General Crowell seconded the motion. Motion passed 4-0 with all those present voting.*

## **Adjournment**

*There being no further business at 11:02 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 August 2, 2023.



**John Plunk, Chair**



**Thomas B. Albritton, Executive Director**



**Byron Butler, Recording Secretary**