

**ALABAMA ETHICS COMMISSION
MINUTES**

June 5, 2024

9:30 a.m.

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

The Alabama Ethics Commission met on June 5, 2024, 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 BG (R) Edward Crowell (USAF), Member
Honorable J. David Dodd, Member
Honorable Greg Pappas, 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
Chris McCay, Senior Special Agent
Brian Baker, Special Agent
Dylan Baker, Special Agent
April Innes, Special Investigator
Kayla Pfeil, Lobbyist/Principal Liaison

General Crowell served as chair for the meeting, called the meeting to order at 9:30 a.m. and introduced Pastor Daniel Atkins from Taylor Road Baptist Church, Montgomery, Alabama, who gave the invocation.

Old Business:

Approval of the minutes from the April 3, 2024, meeting:

Mr. Dodd moved to adopt the minutes as written. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.

New Business:

Appoint a new Chair:

Mr. Dodd moved to appoint General Crowell as Chair for the Commission. Mr. Pappas seconded the motion. Motion was passed with two ayes (Dodd and Pappas) and one abstention (Crowell).

Appoint a new Vice-Chair:

Mr. Pappas moved to appoint Mr. Dodd as Vice-Chair for the Commission. General Crowell seconded the motion. Motion was passed with two ayes (Crowell and Pappas) and one abstention (Dodd).

Advisory Opinion No. 2024-04

Requested by Cpt. Tammy Waddell, Jail Administrator, Limestone County Sheriff's Office

Mr. Paterson explained the request for Advisory Opinion No. 2024-04. ***Mr. Dodd moved to adopt Advisory Opinion No. 2024-04 as written. Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.*** *Opinion No. 2024-04 holds that a public employee who works as a jail administrator may provide paid consulting services for a private business provided they avoid using their position, including confidential information obtained from their position and equipment, facilities, time, materials, human labor, or other public property under their discretion or control, to obtain the outside employment or to benefit themselves or the business employing them, and they do not interact with their public employer on behalf of their private employer.*

FCPA Appeals

West PAC

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. ***Mr. Dodd moved to uphold the first three fines and offenses imposed on March 25, 2024, and set aside the additional penalties and offenses. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.***

Marilyn Kay Lands

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. ***Mr. Dodd moved to uphold the fines and offenses imposed on March 29, 2024. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.***

Sonya Yvette Mckinstry

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. ***Mr. Pappas moved to uphold the first fine and offense imposed on April 8, 2024, and set aside the additional penalties and offenses. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.***

Gregory Charles Wright

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. ***Mr. Dodd moved to uphold the first two fines and offenses imposed on May 2, 2024, and set aside the additional penalties and offenses. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.***

James (Jimmy) Lloyd Rodgers

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. Mr. Rodgers spoke on his own behalf. *Mr. Pappas moved to uphold the first fine and offense imposed on May 3, 2024, and set aside the additional penalties and offenses. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Jacquelyn Grant-Jones

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. Ms. Grant-Jones spoke on her own behalf. *Mr. Pappas moved to uphold the first fine and offense imposed on May 21, 2024, and set aside the additional penalties and offenses. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

American Federation of Republican Women

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Susan D. Jones

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Fair Courts America

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Kelvin Datcher

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

William Paul Story

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Emily Niezer Johnston

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Shirley A. Millwood

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

Joey Stevens

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. *Mr. Pappas moved to set aside the penalty and offense. Mr. Dodd seconded the motion. Motion passed unanimously with all those present voting.*

At 10:09 a.m. Mr. Dodd moved that the Commission go into Executive Session. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.

At 11:55 a.m. Mr. Dodd moved that the Commission go back into Open Session. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2023-0263

Branch Whitlock, Employee, Cullman City Board of Education

General Crowell moved that based on the evidence as presented to this Commission, there exist cause to hold that Branch Whitlock 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. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0391

Andrea Rains, Former Instructor, Jacksonville State University

Mr. Dodd moved that based on the evidence as presented to this Commission, there exist cause to hold that Andrea Rains 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 3-0 with all those present voting.

Case No. 2024-0030

Joel Martin, Director of the Solon Dixon Forestry Education Center, Auburn University

Mr. Pappas moved that based on the evidence as presented to this Commission, there exist cause to hold that Joel Martin 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. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0188

Jimmy McFarland, Employee, City of Birmingham

Mr. Pappas moved that based on the evidence as presented to this Commission, there exist cause to hold that Jimmy McFarland 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. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0189

Montez Lowery, Employee, City of Birmingham

General Crowell moved that based on the evidence as presented to this Commission, there exist cause to hold that Montez Lowery has committed a minor violation of 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. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0338

John James, Chief Deputy Coroner, Russell County Commission

Mr. Dodd moved that based on the evidence as presented to this Commission, there exist cause to hold that John James 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. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0345

Sharae Manuel, Public Health Environmentalist, Alabama Department of Public Health

General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Sharae Manuel, has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. Pappas seconded the motion. Motion passed 3-0 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. 2023-0193; Case No. 2023-0227; Case No. 2023-0229, Case No. 2023-0231, Case No. 2023-0278, Case No. 2023-0308, Case No. 2023-0366, Case No. 2024-0001, and Case No. 2024-0008. Mr. Pappas moved that the Commission dismiss the cases as recommended. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.**

Case No. 2022-0381

Ganus Parker, Truck Driver Training Specialist, Shelton State Community College

General Crowell moved that on August 2, 2023, the Alabama Ethics Commission unanimously found Ganus Parker, Truck Driver Training Specialist, Shelton 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 6th Judicial Circuit who approved the administrative resolution on or before May 6, 2024. 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 August 7, 2024; 2) Restitution in the amount of \$2,100.00 be ordered to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before August 7, 2024 and disbursed to Shelton State Community College thereafter. Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2022-0466

Nathan Winkles, Employee, Shelton State Community College

General Crowell moved that on August 2, 2023, the Alabama Ethics Commission unanimously found Nathan Winkles, Employee, Shelton 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 6th Judicial Circuit who approved the administrative resolution on or before May 6, 2024. Accordingly, I hereby move as follows: 1) An administrative penalty in the amount of \$6,000.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before August 7, 2024; 2) There is no restitution owing for this minor violation. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0442

Cody Collins, Former Employee, The University of Alabama

General Crowell moved that on April 5, 2023, the Alabama Ethics Commission unanimously found Cody Collins, Former Employee, The 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 6th Judicial Circuit who approved the administrative resolution on or before May 6, 2024. 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 August 7, 2024; 2) There is no restitution owing for this minor violation. Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2023-0443

Larry Baranowski, Employee, The University of Alabama

General Crowell moved that on April 5, 2023, the Alabama Ethics Commission unanimously found Larry Baranowski, Employee, The 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 6th Judicial Circuit who approved the administrative resolution on or before May 6, 2024. 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 August 7, 2024; 2) There is no restitution owing for this minor violation. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Adjournment

There being no further business at 12:10 p.m., Mr. Dodd moved that the meeting be adjourned, and Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

The next regularly scheduled meeting of the Commission is August 7, 2024.



Edward F. Crowell, Chair



Thomas B. Albritton, Executive Director



Byron Butler, Recording Secretary