#### ALABAMA ETHICS COMMISSION MINUTES

December 4, 2024 9:30 a.m. 9<sup>th</sup> Floor, RSA Union Building Montgomery, Alabama

The Alabama Ethics Commission met on December 4, 2024, 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 BG (R) Edward Crowell (USAF), Member Honorable J. David Dodd, Member Honorable Greg Pappas, Member

#### **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 Kayla Pfeil, Lobbyist/Principal Liaison Lisa Nixon, Administrative Support Assistant Jamaeica Singleton, Administrative Support Assistant

General Crowell served as chair for the meeting, called the meeting to order at 9:29 a.m. and introduced Pastor Chris Erwin from Church of the Highlands, Montgomery, Alabama, who gave the invocation.

# **Old Business:**

Approval of the minutes from the October 2, 2024, meeting:

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

**New Business:** 

#### **Commission Members Absent:**

# Advisory Opinion No. 2024-05 Requested by Richard E. Fikes

Mr. Paterson explained the request for Advisory Opinion No. 2024-05. Mr. Pappas moved to adopt Advisory Opinion No. 2024-05 as written. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting. Opinion No. 2024-05 holds that a public employee who is a licensed attorney may continue to perform legal services for private clients provided he does not represent any client before his public employer and not use his position, including confidential information obtained from his position and equipment, facilities, time, materials, human labor, or other public property under his discretion or control, to benefit himself or his business.

# Advisory Opinion No. 2024-06

# Requested by K. Paul Carbo, Jr.

Mr. Paterson explained the request for Advisory Opinion No. 2024-06. *Mr. Dodd moved to adopt Advisory Opinion No. 2024-06 as written. Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.* Opinion No. 2024-06 holds that a city council member may apply for a grant from the city where they serve as a council member provided he does not use his position, including confidential information obtained from his position and equipment, facilities, time, materials, human labor, or other public property under his discretion or control, to obtain the grant or otherwise benefit himself or his private business.

# **FCPA** Appeals

# **Chandra Weston 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.* 

# Jamie Dykes

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.* 

# Joshua Raby

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.* 

# Karen Y. Collins

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 penalties and offenses. Mr. Pappas seconded the motion. Motion passed unanimously with all those present voting.

# **Ronald Kenan Sawyer**

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.* 

#### Isaiah Sankey

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.* 

#### **Richard Anderson**

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 9:44 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 12:00 p.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. 2024-0313

# Londriquez Woods, Meter Setter II, Birmingham Water Works

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

#### Case No. 2024-0246

# James Hudgins, Teacher, Bibb County Board of Education

Mr. Dodd moved that based on the evidence as presented to this Commission, there exists cause to hold that James Hudgins 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. 2023-0197

Elijah Bell, Technology Coordinator, Sumter County Board of Education

Mr. Pappas moved that based on the evidence as presented to this Commission, there exists cause to hold that Elijah Bell has violated 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. 2024-0051

# Krystine Roberts, Teacher, Madison City Schools

Mr. Dodd moved that based on the evidence as presented to this Commission, there exists cause to hold that Krystine Roberts 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. 2024-0083

# Nicole Stockman, (Former) Teacher, Athens City Schools

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Niccole Stockman 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. 2024-0201

# Christopher Manasco, Teacher, Dothan City Board of Education

Mr. Pappas moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Christopher Manasco has violated the Alabama Ethics Act. He further moved that this case be closed. General Crowell seconded the motion. Motion passed 3-0 with all those present voting.

#### Case No. 2024-0202

# Susanne Peacock, Teacher, Dothan City Board of Education

General Crowell moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Susanne Peacock has violated the Alabama Ethics Act. He further moved that this case be closed. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

Case No. 2024-0302

Colby Dunn, Legal Counsel, City of Cullman

Mr. Pappas moved that based on the evidence as presented to this Commission, there exists cause to hold that Colby Dunn 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. 2024-0303

Justin Graham, Fire Lieutenant, City of Cullman

Mr. Pappas moved that based on the evidence as presented to this Commission, there exists cause to hold that Justin Graham 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. 2024-0306

# Marcus Hudgins, Chief of Police, Town of Snead

General Crowell moved that based on the evidence as presented to this Commission, there exists cause to hold that Marcus Hudgins 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. 2024-0239

# Samantha Smith, Town Clerk, Town of Ranburne

Mr. Dodd moved that based on the evidence as presented to this Commission, there exists cause to hold that Samantha Smith 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. 2024-0086

# Roshone Napier, Sales Associate I, Alcoholic Beverage Control Board

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

# Case No. 2024-0220

# **Robert Houlton, Employee, City of Montgomery**

Mr. Dodd moved that based on the evidence as presented to this Commission, there exists cause to hold that Robert Houlton 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. 2024-0229

Mattalia Davis, Sales Associate I, Alcoholic Beverage Control Board Mr. Pappas moved that based on the evidence as presented to this Commission, there exists cause to hold that Mattalia Davis 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. 2024-0161

Stanton McDonald, (Former)Commissioner, Alabama Ethics Commission

Mr. Dodd moved that based on the evidence as presented to this Commission, there exists insufficient facts to hold that Stanton McDonald 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. 2024-0073; Case No. 2024-0119; Case No. 2024-0305, Case No. 2024-0325, Case No. 2024-0333 and Case No. 2024-0334. *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. 2024-0031

Jeffery Scott, Transportation Supervisor, Winston County Board of Education

Mr. Pappas moved that on <u>October 2, 2024</u>, the Alabama Ethics Commission unanimously found Jeffery Scott, Transportation Supervisor, Winston County Board of Education, 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 25<sup>th</sup> Judicial Circuit who approved the administrative resolution on November 22, 2024. Accordingly, he hereby moves 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 February 5, 2025; 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. 2024-0047

Jasmine Sawyer, Sales Manager II, Alabama Alcoholic Beverage Control Board Mr. Pappas moved that on <u>October 2, 2024</u>, the Alabama Ethics Commission unanimously found Jasmine Sawyer, Sales Manager II, Alabama Alcoholic Beverage Control Board, 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 10<sup>th</sup> Judicial Circuit / Jefferson Division who approved the administrative resolution on October 17, 2024. Accordingly, he hereby moves 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 February 5, 2025; 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. 2024-0179

Bonnie Spellman, Secretary/Bookkeeper, Pike County Board of Education

*Mr.* Dodd moved that on <u>October 2, 2024</u>, the Alabama Ethics Commission unanimously found Bonnie Spellman, Secretary/Bookkeeper, Pike County Board of Education, 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 12<sup>th</sup> Judicial Circuit who approved the administrative resolution on October 22, 2024. Accordingly, he hereby moves as follows: 1) An administrative penalty in the amount of \$25.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before February 5, 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. 2024-0254

Shaide McGuyer, Special Education Teacher, Lawrence County Board of Education

General Crowell moved that on <u>August 7, 2024</u>, the Alabama Ethics Commission unanimously found Shaide McGuyer, Special Education Teacher, Lawrence County Board of Education, 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 36<sup>th</sup> Judicial Circuit who approved the administrative resolution on October 10, 2024. Accordingly, he hereby moves as follows: 1) An administrative penalty in the amount of \$25.00 be ordered by the Commission to be paid to the Ethics Commission by cashier's check, money order, or online payment on or before February 5, 2025; 2) There is no restitution owing for this minor violation. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

**Other Matters** 

#### Case No. 2023-0409

Sean Ayers, Sales Associate I, Alabama Alcoholic Beverage Control Board

General Crowell moved that on <u>August 7, 2024</u>, the Alabama Ethics Commission unanimously found Sean Ayers, Sales Associate I, Alabama Alcoholic Beverage Control Board, 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 8<sup>th</sup> Judicial Circuit who approved the administrative resolution on or before September 13, 2024. Accordingly, he hereby moves as follows: 1) On October 2, 2024, an administrative penalty in the amount of \$100.00 and restitution in the amount of \$302.25 was ordered by the Commission. The Commission hereby approves a payment plan with monthly installments in the amount of \$50.00 on the remaining balance of \$402.25, to be paid to the

Ethics Commission by cashier's check, money order, or online payment on or before August 6, 2025. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

At 12:22 p.m. Director Albritton presented to the Commission the development of an election official portal for use by the election officials in upcoming elections. The portal is intended to streamline the process for confirming whether a candidate has filed their Statement of Economic Interest as required by Ala. Code § 36-25-15. The portal allows him to confirm whether they have complied by digitally approving in the portal. Director Albritton requested the Commission confirm his authority to determine whether the candidate has complied with Ala. Code § 36-25-15 and notify the election official digitally using the election official portal. Mr. Dodd moved to confirm the Executive Director's authority to make such determination and notification. Mr. Pappas seconded the motion. Motion passed 3-0 with all those present voting.

At 12:23 p.m. Director Albritton stated that during elections, candidates may request an extension to file their SEI that requires a showing of "good cause" per Ala. Code § 36-25-15(c). He requested the Commission confirm his authority to determine "good cause" to allow a candidate an additional five days to file the statement of economic interests. Mr. Pappas moved to confirm the Executive Director's authority to make such determination and notification. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

At 12:24 p.m. Director Albritton requested a performance evaluation from the Commission. The Commissioners presented no criticism of his job performance and a salary increase was discussed. Mr. Pappas moved for the Director to receive a 4% raise. Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting. Director Albritton thanked the Commissioners and stated that the State of Alabama Personnel Department will have final approval on the raise.

# Adjournment

There being no further business at 12:27 p.m., Mr. Pappas moved that the meeting be adjourned, and Mr. Dodd seconded the motion. Motion passed 3-0 with all those present voting.

The next regularly scheduled meeting of the Commission is February 5, 2025.

hair

Byron Butler, Recording Secretary

Thomas B. Albritton, Executive Director