

**ALABAMA ETHICS COMMISSION  
MINUTES**

**December 19, 2018  
9:30 a.m.  
9th Floor, RSA Union Building  
Montgomery, Alabama**

The Alabama Ethics Commission met on December 19, 2018, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9th Floor of the RSA Union Building.

**Present:**

Honorable Jerry L. Fielding, Ret. Sr. Circuit Judge, Chair  
Honorable Frank C. Ellis, Jr., Esq., Vice Chair  
Honorable Charles Price, Ret. Presiding Circuit Judge, Member  
Honorable Beverlye Brady, Esq., Member  
Honorable John Plunk, Esq., Member  
Thomas B. Albritton, Executive Director  
Cynthia Propst Raulston, General Counsel  
Elizabeth Robison, Director of Finance and Administration  
Theresa Davis, Legal Research Assistant  
Dustin Lansford, Special Agent  
R. Christopher Clark, Chief Special Agent  
Chris McCay, Special Agent  
Byron Butler, Special Agent  
Brian Baker, Special Agent  
Jessica L. Grant, Administrative Support Assistant III  
Vicky Manning, Lobbyist Liaison  
April Innes, Administrative Support Assistant  
Austin Gilmore, Clerk  
Sara Frost, Administrative Support Assistant  
Gretta Duckett, Court Reporter

**Absent:**

Judge Fielding called the meeting to order at 9:35 a.m., and introduced Dr. Jeremy Pridgeon, Associate Minister, First United Methodist, Montgomery, Alabama, who gave the invocation.

**Old Business:**

Approval of the minutes from the October 3, 2018 meeting:

***Mr. Plunk moved to adopt the minutes as written. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.***

**Reconsider Advisory Opinion No. 2018-11**

**Requested by John Merrill, Secretary of State, State of Alabama & Steve Marshall, Attorney General, State of Alabama**

Director Albritton and Ms. Raulston explained the request for motion to reconsider Advisory Opinion No. 2018-11. Andrew Brasher, Solicitor General, Attorney General's Office; Brent Beal, Deputy Attorney General, Alabama Secretary of State; and Ryan Robichaux were present to speak and answer any questions. ***Failed for lack of motion.***

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**New Business:**

**Advisory Opinion No. 2018-14**

**Requested by Michael Stewart, Deputy Director, Department of Natural Resources and Environmental Management, City of Huntsville, Huntsville, Alabama**

Ms. Raulston explained the request for Advisory Opinion No. 2018-14. **Ms. Brady moved to adopt Advisory Opinion No. 2018-14 as written. Judge Price seconded the motion. Motion passed unanimously with all those present voting.** *Opinion No. 2018-14 holds that an employee of the City of Huntsville may go to work for a private company that he regulated but not before two years post regulation, calculated either from the date of retirement or from the last date he personally participated in the direct regulation, audit, or investigation of that private entity and as previously determined in AOs 1998-16 and 2001-46. If the offer of employment is made prior to retirement, it must be under facts which "make it clear" that the offer is provided for reasons "unrelated to [your] public service as a public official or public employee. Finally, under Ala. Code § 36-25-13(c), a former employee of the City of Huntsville may not represent his private sector employer before the City of Huntsville for a period of two years commencing on the date of his retirement.*

**Advisory Opinion No. 2018-15**

**Requested by Jill Hall Lee, District Attorney, Eighteenth Judicial Circuit, Columbiana, Alabama**

Ms. Raulston explained the request for Advisory Opinion No. 2018-15. **Mr. Ellis moved to adopt Advisory Opinion No. 2018-15 as written. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.** *Opinion No. 2018-15 holds that a Chief Trial Attorney/Chief Assistant District Attorney may contract back with his employer after retirement when he did not hold a position of authority because he did not have 1) hiring/firing authority or the ability to influence hiring or firing decisions in any way that is greater than any other employee, 2) purchasing or contracting authority or the ability to influence those decisions, 3) authority to make decisions regarding, or to influence, the awarding of grants or other awards. and 4) was not the employer's designated agent with authority to accomplish any of the prescribed actions in § 36-25-13(d) and the employee did not use his position as leverage to obtain the new position in violation of Ala. Code §36-25-5(a).*

**Advisory Opinion No. 2018-16**

**Requested by Doug Key, APCO Employees Credit Union, Birmingham, Alabama**

Ms. Raulston explained the request for Advisory Opinion No. 2018-16. **Mr. Ellis moved to adopt Advisory Opinion No. 2018-16 as written. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.** *Opinion No. 2018-16 holds that a public employee who directly regulated, audited, or investigated a private business, corporation, partnership, or individual may solicit or accept employment from that business, corporation, partnership, or individual once two years have passed, either from the public employee's separation from service from the agency, or the last time the employee personally participated in the direct regulation, audit, or investigation of the private business, corporation, partnership, or individual.*

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### Advisory Opinion No. 2018-17

**Requested by Phil Williams**

Director Albritton explained the request for Advisory Opinion No. 2018-17. **Judge Price moved to adopt Advisory Opinion No. 2018-17 as written. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.** Opinion No. 2018-17 holds that a former member of the Alabama Legislature may be employed by the Alabama Policy Institute (API) as the Director of Policy Strategy subject to the restrictions of Alabama's "Revolving Door" statute, Ala. Code § 36-25-13.

### Advisory Opinion No. 2018-18

**Requested by Preston Register, Attorney, Houston County, Dothan, Alabama**

Ms. Raulston explained the request for Advisory Opinion No. 2018-18. **Mr. Plunk moved to adopt Advisory Opinion No. 2018-18 as written. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.** Opinion No. 2018-17 holds that a County Commissioner may vote on a matter concerning his public employer, provided that neither he nor a family member is uniquely affected by the vote. A public employee, who is also a public official by virtue of being an elected County Commissioner, may use equipment, facilities, time, materials, human labor, or other public property under his discretion or control as a public employee for the benefit of the County or the County Commission without violating the Ethics Act, provided that the use does not benefit him or a family member personally and does not violate his employer's separate policy, if any, regarding such use.

### Henry County Republican Party

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State was present to speak and answer any questions. **Judge Price moved to reduce the May 2, 2018, June 5, 2018, July 3, 2018, August 2, 2018, and September 5, 2018 to one (1) offense and impose a civil penalty of \$300.00. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.**

### Alabama Hospital Association

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State and Greg Everette, Attorney were present to speak and answer any questions. **Mr. Ellis moved to set aside the February 2, 2018 offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.**

### Barbara Drummond

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State was present to speak and answer any questions. **Judge Price moved to deny the request. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.**

### Etowah County Democratic Women's club

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State and Susan Copeland were present to speak and answer any questions. **Mr. Plunk moved to set aside the August 2, 2018 and September 5, 2018 offenses and civil penalties. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.**

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**Lawrence County Republican Party**

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State was present to speak and answer any questions. *Ms. Brady moved to set aside the February 2, 2018 offense & civil penalty. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Kenneth Karon Robinson, Sr.**

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State and Kenneth Robinson were present to speak and answer any questions. *Judge Price moved to set aside the March 2, 2018, April 3, 2018, July 3, 2018, August 2, 2018, and October 2, 2018 offenses. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Malika Asha Sanders Fortier**

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State was present to speak and answer any questions. *Mr. Ellis moved to set aside the October 2, 2018 offense and civil penalty. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Tuscaloosa Fire Fighters Public Relations Fund**

Ms. Raulston explained the request for the Civil Penalty Appeal. Clay Helms, Assistant Director, Supervisor of Voter Registration, Alabama Secretary of State was present to speak and answer any questions. *Mr. Plunk moved to set aside the October 15, 2018 offense and civil penalty. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Reconsider Case 2017-320**

**Requested by Scott Gosnell**

Ms. Raulston explained the request for motion to reconsider Case 2017-320. Scott Gosnell, Attorney was present to speak and answer any questions. *Judge Price moved to reconsider in executive session. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

*At 11:15 a.m. Judge Price moved that the Commission go into Executive Session. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

*At 2:01 p.m. Mr. Plunk moved that the Commission go back into Open Session. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Motion to Reconsider of Case No. 2017-320**

*Ms. Brady moved to deny the reconsideration of Case No. 2017-320. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-012**

**Mark Ward, Education Specialist, Alabama State Department of Education**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Mark Ward has committed one (1) minor violation of the Alabama Ethics Act. He further*

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*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. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-013**

**Michael Bassett, Former Education Administrator, Pupil Transportation Section, Alabama State Department of Education**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Michael Bassett 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. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-058**

**Joseph Lee Pittman, Arena Manager, Agricultural Arena, Autaugaville, Alabama**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Joseph Lee Pittman 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. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-211**

**Inez Nelson, Mayor, Town of Toxey**

*Mr. Ellis moved that based on the evidence as presented to this Commission, there exists cause to hold that Inez Nelson 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. 2018-101**

**Kenneth Edwards, Transportation Technologist Sr., Alabama Department of Transportation**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Kenneth Edwards 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. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-211**

**Alisa Bentley Westbrook, Former Environmentalist, Alabama Department of Public Health**

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Alisa Bentley Westbrook 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. 2018-237

Jamie Taylor, Employee, Roanoke City Schools

*Ms. Brady moved that based on the evidence as presented to this Commission, there currently exists insufficient facts to hold that Jamie Taylor, has violated the Alabama Ethics Law. She further moved that this case be closed. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2018-290

Loretta Presnell, Councilwoman, City of Citronelle

*Judge Price moved that based on the evidence as presented to this Commission, there currently exists insufficient facts to hold that Loretta Presnell, has violated the Alabama Ethics Law. He further moved that this case be closed. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2018-031

Brian Largen, Former Head Softball Coach, New Hope High School

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Brian Largen 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. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2018-227

Steve Marshall, Attorney General, State of Alabama

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Steve Marshall has violated the Fair Campaign Practices Act, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Judge Price seconded the motion. Motion failed with two ayes (Brady and Price) and three nays (Ellis, Fielding, and Plunk).*

*Mr. Ellis moved that based on the evidence as presented to this Commission, there currently exists insufficient facts to hold that Steve Marshall, has violated the Fair Campaign Practices Act. He further moved that this case be closed. Mr. Plunk seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and two nays (Brady and Price).*

Case No. 2018-066

William Lane, Chief Deputy, Randolph County Sheriff's Department

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that William Lane 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. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2018-068

William Lane, Chief Deputy, Randolph County Sheriff's Department

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that William Lane has violated the Alabama Ethics Act, and further moved that this case be*

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*referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-356**

**William Lane, Chief Deputy, Randolph County Sheriff's Department**

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that William Lane 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. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-067**

**Roger Agnew, City Council Member & (Paid) Volunteer Firefighter, Guin, Alabama**

*Mr. Ellis moved that based on the evidence as presented to this Commission, there exists cause to hold that Roger Agnew 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. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-145**

**Emanuel Davis, Member, Henry County Board of Education**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Emanuel Davis 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. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-280**

**Christy Rooks, Former Property Appraiser II, Mobile County Revenue Commission**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Christy Rooks 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. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Advisory Opinion No. 2018-19**

**Requested by John Merrill, Secretary of State, State of Alabama**

Director Albritton explained the request for Advisory Opinion No. 2018-19. *Judge Price moved to adopt Advisory Opinion No. 2018-19 as written. Ms. Brady seconded the motion. Motion failed with two ayes (Brady and Price) and three nays (Ellis, Fielding, and Plunk). Mr. Ellis moved to carry over Advisory Opinion No. 2018-19 and stated that the Legislature should address the issues raised in that proposed opinion. Mr. Plunk seconded the motion. Motion passed with three ayes (Ellis, Fielding, and Plunk) and two nays (Brady and Price). The questions presented in Opinion No. 2018-19 are: "1. Can a Federal PAC that received contributions from out-of-state 527 organizations or other out-of-state PACs make an expenditure to an Alabama candidate if they did not anticipate making the expenditure at the time they received the contributions to the PAC? 2. If a Federal PAC gives a contribution to an Alabama candidate after accepting donations from 527*

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*political organizations or other PACs outside Alabama, does Alabama law forbid the acceptance and mandate the return of the contribution? 3. What duty or obligation does a Political Action Committee have to investigate or discover the source of funding when receiving a contribution from a PAC or organization?"*

### **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. 2018-057; Case No. 2018-126; Case No. 2018-150; Case No. 2018-185; Case No. 2018-161; Case No. 2018-184; Case No. 2018-186; Case No. 2018-209; and Case No. 2018-228.** *Mr. Plunk moved that the Commission dismiss the cases as recommended. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

#### **Case No. 2018-545**

##### **Joey Fishback**

*Mr. Plunk moved that on August 1, 2018, the Alabama Ethics Commission found that Joey Fishback, had committed one (1) minor violation of the Alabama Ethics Law. Joey Fishback 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 30<sup>th</sup> Circuit. That request has been approved by Richard Minor, District Attorney, 30<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$100.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

#### **Case No. 2016-074**

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

*Mr. Ellis moved that on August 4, 2016, the Alabama Ethics Commission found that Ralph Hakel, Alabama Department of Public Health, Lee County, had committed one (1) minor violation of the Alabama Ethics Law. Ralph Hakel requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the Attorney General of the State of Alabama. That request has been approved by Steve Marshall, Attorney General, State of Alabama. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$1,000.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

#### **Case No. 2017-069**

##### **Carrie Fulgham, Mayor, Town of Gainesville**

*Ms. Brady moved that on April 4, 2018, the Alabama Ethics Commission found that Carrie Fulgham, Mayor, Town of Gainesville, had committed one (1) minor violation of the Alabama Ethics Law. Carrie Fulgham 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 17<sup>th</sup> Circuit. That request has been approved by Gregory Griggers, District*

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*Attorney, 17<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$1,000.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-331**

**William Bell, Former Mayor, City of Birmingham**

*Mr. Plunk moved that on August 1, 2018, the Alabama Ethics Commission found that William Bell, Former Mayor, City of Birmingham, had committed one (1) minor violation of the Alabama Ethics Law. William Bell 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 10<sup>th</sup> Circuit. That request has been approved by Michael Anderton, District Attorney, 10<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$500.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-034**

**Roger Chandler, Alabama Southern Community College**

*Ms. Brady moved that on October 3, 2018, the Alabama Ethics Commission found that Roger Chandler, Alabama Southern Community College, had committed one (1) minor violation of the Alabama Ethics Law. Roger Chandler 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 35<sup>th</sup> Circuit. That request has been approved by Steven Wadlington, District Attorney, 35<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$1,000.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-036**

**Alton Starling, Jr., Candidate, Pike County Probate Judge**

*Mr. Plunk moved that on October 3, 2018, the Alabama Ethics Commission found that Alton Starling, Jr., Candidate, Pike County Probate Judge, had committed one (1) minor violation of the Alabama Ethics Law. Alton Starling, Jr. 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 12<sup>th</sup> Circuit. That request has been approved by Tom Anderson, District Attorney, 12<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$900.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-051**

**Jan Cofield, Retired Administrative Support Assistant III, Alabama Board of Pardons &**

*Mr. Plunk moved that on October 3, 2018, the Alabama Ethics Commission found that Jan Cofield, Retired Administrative Support Assistant III, Alabama Board of Pardons & Paroles, Fyffe, Alabama had committed one (1) minor violation of the Alabama Ethics Law. Jan Cofield 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 27<sup>th</sup> Circuit. That request has been approved by Everette Johnson, District Attorney, 27<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$250.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-065**

**Stacey Boyd, Jail Administrator, Randolph County**

*Judge Price moved that on October 3, 2018, the Alabama Ethics Commission found that Stacey Boyd, Jail Administrator, Randolph County, had committed one (1) minor violation of the Alabama Ethics Law. Stacey Boyd 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 5<sup>th</sup> Circuit. That request has been approved by Jeremy Duerr, District Attorney, 5<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$500.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-071/096**

**Bill Payne, Chairman, Bridgeport Utilities**

*Mr. Plunk moved that on August 1, 2018, the Alabama Ethics Commission found that Bill Payne, Chairman, Bridgeport Utilities, had committed one (1) minor violation of the Alabama Ethics Law. Bill Payne 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 38<sup>th</sup> Circuit. That request has been approved by Jason Pierce, District Attorney, 38<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$250.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-155**

**Bill Payne, Chairman, Bridgeport Utilities**

*Mr. Plunk moved that on August 1, 2018, the Alabama Ethics Commission found that Bill Payne, Chairman, Bridgeport Utilities, had committed two (2) minor violations of the Alabama Ethics Law. Bill Payne 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 38<sup>th</sup> Circuit. That request has been approved by Jason Pierce, District Attorney, 38<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$1,000.00 is ordered*

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*by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-108**

**Carl Griffith, Former Sergeant, Baldwin County Sheriff's Office**

*Ms. Brady moved that on August 1, 2018, the Alabama Ethics Commission found that Carl Griffith, Former Sergeant, Baldwin County Sheriff's Office, had committed one (1) minor violation of the Alabama Ethics Law. Carl Griffith requested an administrative resolution on that date. The Commission unanimously approved an administrative resolution of the case and forwarded to the Attorney General of the State of Alabama. That request has been approved by Steve Marshall, Attorney General, State of Alabama. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$6,000.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-193**

**Eugene Henry, Sr., Former Employee, Public Services Department, City of Vestavia Hills**

*Ms. Brady moved that on October 3, 2018, the Alabama Ethics Commission found that Eugene Henry, Sr., Former Employee, Public Services Department, City of Vestavia Hills, had committed one (1) minor violation of the Alabama Ethics Law. Eugene Henry, Sr. 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 10<sup>th</sup> Circuit. That request has been approved by Michael Anderton, District Attorney, 10<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$200.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-195**

**George Witherspoon, Former Employee, Public Services Department, City of Vestavia Hills**

*Ms. Brady moved that on October 3, 2018, the Alabama Ethics Commission found that George Witherspoon, Former Employee, Public Services Department, City of Vestavia Hills, had committed one (1) minor violation of the Alabama Ethics Law. George Witherspoon 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 10<sup>th</sup> Circuit. That request has been approved by Michael Anderton, District Attorney, 10<sup>th</sup> Judicial Circuit. Accordingly, I hereby move that the request be granted and that this matter be handled administratively as follows: 1) that an administrative penalty in the amount of \$0.00 is ordered by the Commission; and 2) that the administrative penalty be paid to the Ethics Commission by cashier's check, money order or online payment on or before January 2, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

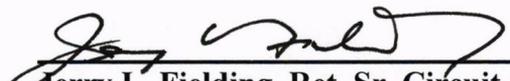
**Penalty Imposition Against 2017 Statement of Economic Interests Non-Filers from the Municipal and State Level of Government**

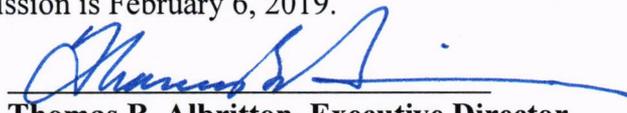
The Commissioners had been provided with a list of names of individuals at the municipal and state levels of government who had not filed their Statement of Economic Interests after having been notified by the Commission of the Code provisions concerning non-filers. *Mr. Plunk moved that the Commission approve/authorize the staff to proceed with assessing penalties against the individuals named in the lists provided to the Commission beginning January 8, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

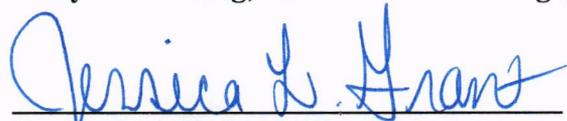
**Adjournment**

*There being no further business, at 2:37 p.m. Mr. Plunk moved that the meeting be adjourned, and Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

The next regularly scheduled meeting of the Commission is February 6, 2019.

  
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Jerry L. Fielding, Ret. Sr. Circuit Judge, Chair

  
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Thomas B. Albritton, Executive Director

  
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Jessica Grant, Recording Secretary