

**ALABAMA ETHICS COMMISSION  
MINUTES**

**February 7, 2018**

**9:30 a.m.**

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

The Alabama Ethics Commission met on February 7, 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  
Hugh R. Evans, III, General Counsel  
Cynthia Propst Raulston, Assistant General Counsel  
Theresa Davis, Legal Research Assistant  
Tony Goubil, Chief Special Agent  
Rick Lambert, Special Agent  
Dustin Lansford, Special Agent  
R. Christopher Clark, Special Agent  
Chris McCay, Special Agent  
Jessica L. Grant, Administrative Support Assistant III  
Vicky Manning, Lobbyist Liaison  
April Innes, Administrative Support Assistant  
Austin Gilmore  
Bridget Mitchell, Court Reporter

**Absent:**

Judge Fielding called the meeting to order at 9:46 a.m., and introduced Pastor Brandon Giardina, Associate Pastor, Real Life Church, who gave the invocation.

**Old Business:**

Approval of the minutes from the December 4, 2017 meeting:

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

**New Business:**

**Advisory Opinion No. 2017-14**

**Requested by Scott Daniel, Board Investigator, Alabama Board of Pharmacy, Birmingham, Alabama**

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Ms. Raulston explained the request for Advisory Opinion No. 2017-14. Jim Ward was present to speak. **Opinion failed for lack of a motion. Mr. Plunk abstained from the matter.** The question presented in Opinion No. 2017-14 is: "May a current Board of Pharmacy member resign as a Board member and be employed by the Board of Pharmacy as the executive secretary without violating the "Revolving Door" prohibition in the Ethics Act?"

**Advisory Opinion No. 2018-01**

**Requested by William J. Canary, President and Chief Executive Officer, Business Council of Alabama**

Director Albritton explained the request for Advisory Opinion No. 2018-01. **Judge Price moved to adopt Advisory Opinion No. 2018-01 as written. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.** Opinion No. 2018-01 holds Ala. Code § 36-25-19(a) requires the accurate reporting of cumulative spending on pre-certified events, or those which otherwise fall within the exceptions to the definition of "thing of value" which during a 24-hour period exceeds \$250.00. For events in which there are multiple sponsors contributing varying amounts, Section 19 requires each payor to separately assess the value of their contribution per participant and accurately report if necessary. If there are multiple sponsors for an event for which precertification is sought, then the request for precertification must specify who the sponsors are, if they intend to aggregate and if so, what expenses they intend to aggregate and a list of invitees. If sponsorships are not included in the request, then the Commission will presume that the requestor is the sole sponsor.

**At 10:25 a.m. Mr. Plunk moved that the Commission go into Executive Session. Judge Price seconded the motion. Motion passed unanimously with all those present voting.**

**At 12:50 p.m. Mr. Plunk moved that the Commission go back into Open Session to vote. Judge Price seconded the motion. Motion passed unanimously with all those present voting.**

**Case No. 2017-089**

**George Keating, Former Employee, City of Leads**

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

**Case No. 2017-091**

**William Avery, Chief, Wadley Police Department**

**Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that William Avery 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. 2017-160/161/162**

**Julia Covington, Director, Child Nutrition Program, Guntersville City Schools, Guntersville, Alabama**

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*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Julia Covington 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. 2017-250**

**Jesse Swords, Marshall County Commissioner, Albertville, Alabama**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Judge Price 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. 2017-254**

**LaTaya Lucas, Former Employee, AL Department of Finance Executive Budget Office**

*Mr. Ellis moved that based on the evidence as presented to this Commission, there exists cause to hold that LaTaya Lucas 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. 2017-312**

**Robert Carpenter, Employee, Washington County Road 7 Bridge**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Robert Carpenter 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. 2017-332**

**Kevin Dukes, Superintendent, Jackson County Schools, Scottsboro, Alabama**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Kevin Dukes 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 Attorney General of the State of Alabama. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-357**

**Lorse Saffold, Councilman, Town of Gordon**

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Lorse Saffold 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 Attorney General of the State of Alabama. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

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**Case No. 2017-034**

**Jacob Epps, Candidate, Moundville City Council**

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

**Case No. 2017-067**

**Rolanda Hollis, Alabama State Representative, Birmingham, Alabama**

*Ms. Brady moved that as to the evidence presented and as it relates to Rolanda Hollis this case be continue. Mr. Plunk 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 as to the evidence presented and as it relates to Carrie Fulgham this case be continue. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-153 (A) (B) / 231 / 232/ 233/ 257 / 297 (A) (B)**

**Lanny Lancaster, Former Mayor, Town of Columbia and Sandra Lancaster, Former Senior Center director, Town of Columbia**

*Judge Price moved that based on the evidence as presented to this Commission, there exists cause to hold that Lanny Lancaster and Sandra Lancaster have violated the Alabama Ethics Act, and further moved that this case be referred for review and appropriate legal action to the Attorney general of the State of Alabama. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-290**

**Warren Floyd, Police Chief, Town of Columbia**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Warren Floyd has violated the Alabama Ethics Act, and further moved that this case be referred for review and appropriate legal action to the Attorney general of the State of Alabama. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case no. 2017-405**

**Christopher Hobbs, Transportation Maintenance Technician, Traffic Sign Shop, ALDOT**

*Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Christopher Hobbs has violated the Alabama Ethics Act, and further moved that this case be referred for review and appropriate legal action to the Attorney general of the State of Alabama. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Cases Recommended for Dismissal**

The following cases were presented to the Commission by Executive Director Albritton, with the recommendation that they be dismissed: **Case No. 2017-100; Case No. 2017-122; Case No. 2017-144; Case No. 2017-192; Case No. 2017-224; Case No. 2017-252; Case No. 2017-271/272/273/296; Case No. 2017-283 (A); Case No. 2017-283 (B); Case No. 2017-283 (C); Case No. 2017-283 (D); Case No. 2017-283 (E); Case No. 2017-295/327; Case No. 2017-300; Case No. 2017-355; Case No. 2017-**

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356; Case No. 2017-358; Case No. 2017-372/395 (A); Case No. 2017-387; Case No. 2017-393; Case No. 2017-399; Case No. 2017-400; Case No. 2017-401; and Case No. 2017-411. *Mr. Plunk moved that the Commission dismiss the cases as recommended. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-005**

**Connie Brooks, Council Member, Town of Gordon, Gordon, Alabama**

*Mr. Plunk moved that on October 4, 2017, the Alabama Ethics Commission found that Connie Brooks, Council Member, Town of Gordon, Gordon, Alabama, had committed one (1) minor violation of the Alabama Ethics Law. Connie Brooks 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 20<sup>th</sup> Circuit. That request has been approved by Patrick Jones, III, District Attorney, 20<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 \$50.00 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 February 17, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-020**

**John Dickey, Superintendent, Washington County School System**

*Mr. Plunk moved that on August 16, 2017, the Alabama Ethics Commission found that John Dickey, Superintendent, Washington County School System, had committed one (1) minor violation of the Alabama Ethics Law. John Dickey 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 1<sup>st</sup> Circuit. That request has been approved by Spencer Walker, District Attorney, 1<sup>st</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 \$1000.00 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 February 17, 2018. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-032**

**Terry Holder, Former, Career Tech Director, Bibb County Schools, Birmingham, Alabama**

*Judge Price moved that on December 4, 2017, the Alabama Ethics Commission found that Terry Holder, Former, Career tech Director, Bibb County Schools, Birmingham, Alabama, had committed one (1) minor violation of the Alabama Ethics Law. Terry Holder 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 4<sup>th</sup> Circuit. That request has been approved by Michael Jackson, District Attorney, 4<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 February 17, 2018. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

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**Case No. 2017-085**

**Mike Davis, Assistant General Manager of Utilities, City of Troy, Troy, Alabama**

*Mr. Plunk moved that on December 4, 2017, the Alabama Ethics Commission found that Mike Davis, Assistant General Manager of Utilities, City of Troy, Troy, Alabama, had committed one (1) minor violation of the Alabama Ethics Law. Mike Davis 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 \$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 February 17, 2018. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-086**

**Jeremy Hagler, Water/Wastewater Specialist, City of Troy, Troy, Alabama**

*Judge Price moved that on December 4, 2017, the Alabama Ethics Commission found that Jeremy Hagler, Water/Wastewater Specialist, City of Troy, Troy, Alabama, had committed one (1) minor violation of the Alabama Ethics Law. Jeremy Hagler 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 \$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 February 17, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-087**

**Jason Bell, Project Manager, City of Troy, Troy, Alabama**

*Judge Price moved that on December 4, 2017, the Alabama Ethics Commission found that Jason Bell, Project Manager, City of Troy, Troy, Alabama, had committed one (1) minor violation of the Alabama Ethics Law. Jason 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 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 \$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 February 17, 2018. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-211**

**Andrea Tolson, Imager, Troy University**

*Mr. Plunk moved that on December 4, 2017, the Alabama Ethics Commission found that Andrea Tolson, Imager, Troy University, had committed one (1) minor violation of the Alabama Ethics Law. Andrea Tolson 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 \$25.00 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 February 17, 2018. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-212**

**Drake Barron, Former, Police Officer, Troy University**

*Ms. Brady moved that on December 4, 2017, the Alabama Ethics Commission found that Drake Barron, Former, Police Officer, Troy University, had committed one (1) minor violation of the Alabama Ethics Law. Drake Barron 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 \$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 February 17, 2018. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-255**

**Rachel Anderson, Former, Executive Secretary, Alabama Board of Dental Scholarships**

*Mr. Plunk moved that on December 4, 2017, the Alabama Ethics Commission found that Rachel Anderson, Former, Executive Secretary, Alabama Board of Dental Scholarships, had committed one (1) minor violation of the Alabama Ethics Law. Rachel Anderson 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 \$1000.00 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 February 17, 2018. Mr. Ellis seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2017-267**

**Randy Weaver, Purchasing Department, City of Fairhope**

*Ms. Brady moved that on December 4, 2017, the Alabama Ethics Commission found that Randy Weaver, Purchasing Department, City of Fairhope, had committed one (1) minor violation of the Alabama Ethics Law. Randy Weaver 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 28<sup>th</sup> Circuit. That request has been approved by Robert Wilters, District Attorney, 28<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 \$1000.00 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 February 17, 2018. Judge Price seconded the motion. Motion passed unanimously with all those present voting.*

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Case No. 2017-357

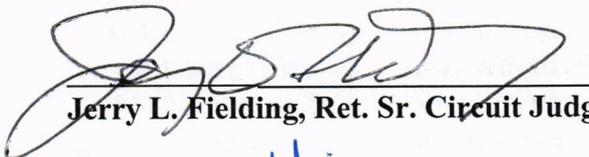
Lorse Saffold, Councilman, Town of Gordon

*Ms. Brady moved that the Commission accept Mr. Saffold's request to establish a payment plan of \$50.00 per month until the \$777.46 restitution levied against him at the February 7, 2018 meeting is paid in full. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

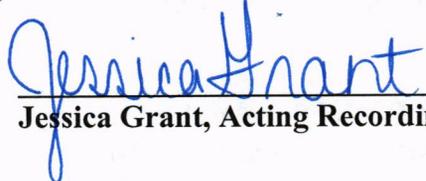
**Adjournment**

*There being no further business, at 1:11 p.m. Judge Price 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 April 4, 2018.

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

  
Thomas B. Albritton, Executive Director

  
Jessica Grant, Acting Recording Secretary