

**ALABAMA ETHICS COMMISSION
MINUTES**

**October 2, 2019
9:30 a.m.
9th Floor, RSA Union Building
Montgomery, Alabama**

The Alabama Ethics Commission met on October 2, 2019, at 9:30 a.m. in the Public Service Commission Hearing Room on the 9th Floor of the RSA Union Building.

Present:

Honorable Charles Price, Ret. Circuit Judge, Vice Chair
Honorable Beverlye Brady, Member
Honorable John Plunk, Member
Honorable Lyn Stuart, Ret. Chief Justice, Member
Honorable Stanton H. McDonald, Member
Thomas B. Albritton, Executive Director
Cynthia Propst Raulston, General Counsel
Elizabeth Robison, Director of Finance and Administration
R. Christopher Clark, Chief Special Agent
Dustin Lansford, Senior Special Agent
Byron Butler, Senior Special Agent
Chris McCay, 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
Greta Duckett, Court Reporter

Absent:

Judge Price called the meeting to order at 9:39 a.m., and introduced Pastor Jim Graham, Coosada Baptist Church, who gave the invocation.

Old Business:

Approval of the minutes from the August 7, 2019 meeting:

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

New Business:

Appoint a new Chairman:

Chief Justice Stuart moved to appoint Judge Price as Chairman for the Commission. Ms. Brady seconded the motion. Motion passed with four ayes (Brady, McDonald, Plunk, Stuart) and one abstention (Price).

Appoint a new Vice Chairman:

Mr. Plunk moved to appoint Ms. Brady as Vice Chair for the Commission. Chief Justice Stuart seconded the motion. Motion passed with four ayes (McDonald, Plunk, Price, Stuart) and one abstention (Brady).

FCPA Appeal

National Association of Realtors Ballot Issue Committee

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State; Clay Helms, Director of Electronics, Alabama Secretary of State; and David Brewer, Deputy Secretary of State & Chief of Staff, Alabama Secretary of State were present to speak and answer any questions. *Ms. Brady moved to uphold the July 31, 2019 penalty and offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

At 9:50 a.m. Mr. Plunk moved that the Commission go into Executive Session. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

At 11:39 a.m. Ms. Brady moved that the Commission go back into Open Session. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2018-310

Victor Koriko, Accounting Manager, Alabama Department of Child Abuse and Neglect Prevention

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Victor Koriko 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. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2018-550

April Grissom, Office Manager, Recycling Center, Shoals Solid Waste Authority

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that April Grissom 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. 2019-091

Fred Wallace, Administrative Assistant, Hartselle High School

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Fred Wallace 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. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-149

Meredith Moore, Teacher, Susan Moore Elementary School

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Meredith Moore 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. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-168

Tiffany Sanders, Dean of Student Services, Southern Union Community College

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Tiffany Sanders 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. 2019-178

Scott Stapler, Athletics Coordinator, Huntsville City Schools

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Scott Stapler 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. Chief Justice Stuart seconded the motion. Motion passed with four ayes (Brady, McDonald, Price, Stuart) and one recusal (Plunk).

Case No. 2019-199

Kristy Blitch, Senior IT Systems Technician, Alabama Department of Rehabilitation Services

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Kristy Blitch 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. 2019-221

Jennifer Gulley, Child Nutrition Program Manager, Castlen Elementary School

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Jennifer Gulley 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. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-092

Melva LaJoy Jones, Former Director of Special Events, University of South Alabama

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Melva LaJoy Jones has violated the Alabama Ethics Law, 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. 2019-157

Jay Jenkins, Councilmember, City of Anniston

Mr. Plunk moved that based on the evidence as presented to this Commission, there exists cause to hold that Jay Jenkins has violated the Alabama Ethics Law, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-054

Chauncey Shines, Basketball Coach, Brew Tech

Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Chauncey Shines has violated the Alabama Ethics Law, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. McDonald seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2018-415

David Burkette, Former Councilmember, City of Montgomery

Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that David Burkette has violated the Alabama Ethics Law, and further moved that this case be referred for review and appropriate legal action to the District Attorney of the appropriate Judicial Circuit. Mr. McDonald seconded the motion. Motion passed with four ayes (Brady, McDonald, Plunk, Stuart) and one recusal (Price).

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. 2018-410; Case No. 2018-444; Case No. 2018-445; Case No. 2018-490; Case No. 2018-498; Case No. 2019-009; Case No. 2019-139; Case No. 2019-185; Case No. 2019-193; and Case No. 2019-259. *Mr. Plunk moved that the Commission dismiss the cases as recommended. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

Case No. 2018-382

James Clark Davis, Mayor, City of Graysville

Judge Price moved that on August 7, 2019, the Alabama Ethics Commission found that James Clark Davis, Mayor, City of Graysville, had committed one (1) minor violation of the Alabama Ethics Law. James Clark 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 10th Judicial Circuit. That request has been approved by Danny Carr, District Attorney, 10th 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 October 16, 2019. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2018-435

Charlene Tucker, Former Accountant, Shelby County

Ms. Brady moved that on August 7, 2019, the Alabama Ethics Commission found that Charlene

Tucker, Former Accountant, Shelby County, had committed one (1) minor violation of the Alabama Ethics Law. Charlene Tucker 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 18th Judicial Circuit. That request has been approved by Jill Lee, District Attorney, 18th 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2018-551

Kristina Myers, Former Director, Development College of Human Science, Auburn University Judge Price moved that on June 5, 2019, the Alabama Ethics Commission found that Kristina Myers, Former Director, Development College of Human Sciences, Auburn University, had committed one (1) minor violation of the Alabama Ethics Law. Kristina Myers 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 of the 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed with four ayes (McDonald, Plunk, Price, Stuart) and one recusal (Brady).

Case No. 2019-035

Kate Bell, Teacher, Elmore County Board of Education

Judge Price moved that on June 5, 2019, the Alabama Ethics Commission found that Kate Bell, Teacher, Elmore County Board of Education, had committed one (1) minor violation of the Alabama Ethics Law. Kate 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 19th Judicial Circuit. That request has been approved by Randall Houston, District Attorney, 19th 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-036

Lauryn Smith, Teacher, Elmore County Board of Education

Judge Price moved that on June 5, 2019, the Alabama Ethics Commission found that Lauryn Smith, Teacher, Elmore County Board of Education, had committed one (1) minor violation of the Alabama Ethics Law. Lauryn Smith 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 19th Judicial Circuit. That request has been approved by Randall Houston, District Attorney, 19th 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 \$400.00 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-038

Lauri Lynch, Teacher, Elmore County Board of Education

Judge Price moved that on June 5, 2019, the Alabama Ethics Commission found that Lauri Lynch, Teacher, Elmore County Board of Education, had committed one (1) minor violation of the Alabama Ethics Law. Lauri Lynch 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 19th Judicial Circuit. That request has been approved by Randall Houston, District Attorney, 19th 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-058

Robert Holk, Mayor, Town of Magnolia Springs

Ms. Brady moved that on August 7, 2019, the Alabama Ethics Commission found that Robert Holk, Mayor, Town of Magnolia Springs, had committed one (1) minor violation of the Alabama Ethics Law. Robert Holk 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 28th Judicial Circuit. That request has been approved by Robert Wilters, District Attorney, 28th 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 \$150.00 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 October 16, 2019. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.

Case No. 2019-061

George Adams, III, Rehabilitation Employment Specialist I, Alabama Department of Rehabilitation Services

Chief Justice Stuart moved that on August 7, 2019, the Alabama Ethics Commission found that George Adams, III, Rehabilitation Employment Specialist I, Alabama Department of Rehabilitation Services, had committed one (1) minor violation of the Alabama Ethics Law. George Adams, III 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 10th Judicial Circuit. That request has been approved by Danny Carr, District Attorney, 10th 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 \$150.00 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 October 16, 2019. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.

Penalty Imposition Against 2018 Statement of Economic Interests Non-Filers from the

Municipal Level of Government

The Commissioners had been provided with a list of names of individuals at the municipal level of government who have not filed their Statement of Economic Interests after having been notified by the Commission of the Code provisions concerning non-filers. *Ms. Brady 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 October 24, 2019. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

Administrative Rules

The Commission held a general discussion of proposed Administrative Rules. Ms. Stuart and Ms. Brady spoke in favor of the proposed Rules. Mr. Albritton requested the Commissioners to email any questions about or objections to the rules to him directly. Mr. Albritton then stated that he would proceed to deliver the proposed Rules to the Legislative Services Agency per the requirements of the Administrative Procedures Act.

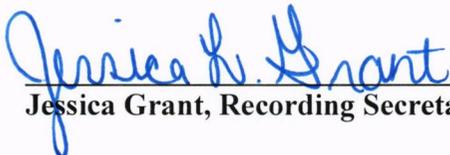
Adjournment

There being no further business, at 12:05 p.m. Ms. Brady moved that the meeting be adjourned, and Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.

The next regularly scheduled meeting of the Commission is December 4, 2019.


Charles Price, Ret. Circuit Judge, Chairman


Thomas B. Albritton, Executive Director


Jessica Grant, Recording Secretary