

**ALABAMA ETHICS COMMISSION  
MINUTES**

**February 5, 2020**

**9:30 a.m.**

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

The Alabama Ethics Commission met on February 5, 2020, 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, Chairman  
Honorable Beverlye Brady, Vice Chair  
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  
Arthur Acosta, Assistant 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

**Absent:**

Judge Price called the meeting to order at 9:53 a.m., and introduced Reverend Jay Cooper, First United Methodist Church, who gave the invocation.

**Old Business:**

Approval of the minutes from the December 4, 2019 meeting:

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

**New Business:**

FCPA Appeal

**Christine Burrell**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Ms. Brady moved to set*

*aside the December 3, 2019 penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Jefferson County Republican Party**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Chris Brown were present to speak and answer any questions. *Ms. Brady moved to uphold the December 3, 2019 penalty and offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Kecia Davis**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Mr. Plunk moved to set aside the December 3, 2019 penalty and offense. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Kenneth Freeman Holt**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State; Clay Helms, Director of Elections, Alabama Secretary of State; Kathy Holt; and Kenneth Holt were present to speak and answer any questions. *Ms. Brady moved to set aside the December 3, 2019 penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Lamar County Republican Party**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Banks Hattaway were present to speak and answer any questions. *Ms. Brady moved to set aside the November 4, 2019 penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Monroe County Republican Committee**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State was present to speak and answer any questions. *Ms. Brady moved to set aside the January 3, 2020 penalty and offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Randall Shane Dueitt**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Randall Dueitt were present to speak and answer any questions. *Chief Justice Stuart moved to set aside the January 3, 2020 penalty and offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.*

**Becky Nordgren**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Becky Nordgren were present to speak and answer any questions. *Mr. McDonald moved to set aside the November 22, 2019 penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Robert Michael Berry**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State was present to speak and answer any questions. ***Chief Justice Stuart moved to set aside the November 4, 2019 penalty and offense. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.***

**Rodney Paul Green**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Clay Helms, Director of Elections, Alabama Secretary of State were present to speak and answer any questions. ***Ms. Brady moved to set aside the November 4, 2019 penalty and offense. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.***

**Sandy Eugene Lee**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State; Clay Helms, Director of Elections, Alabama Secretary of State; and Sandy Lee were present to speak and answer any questions. ***Ms. Brady moved to set aside the December 3, 2019 penalty and offense. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.***

**William Randell Kelley**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Clay Helms, Director of Elections, Alabama Secretary of State were present to speak and answer any questions. ***Chief Justice Stuart moved to set aside the January 3, 2020 penalty and offense. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.***

**Zickeyous Byrd**

Ms. Raulston explained the request for the Civil Penalty Appeal. Hugh Evans, General Counsel, Alabama Secretary of State and Zickeyous Byrd were present to speak and answer any questions. ***Ms. Brady moved to uphold the January 3, 2020 offense and reduce the penalty to \$100.00. Mr. Plunk seconded the motion. Motion passed unanimously with all those present voting.***

***At 10:47 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 11:29 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. 2019-121**

**Jessica Jackson, Former Employee, 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 Jessica Jackson 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. 2019-060**

**Antonio Bonham, Former Teacher, Brookwood Middle School**

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

**Case No. 2019-249**

**Lee Franks, Former Parts Manager, Mobile County Commission**

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

**Case No. 2019-295**

**Gerald Clark, Councilman, City of Madison**

*Ms. Brady moved that based on the evidence as presented to this Commission, there exists cause to hold that Gerald Clark 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 three ayes (Brady, Price, Stuart) and two recusals (McDonald and Plunk).*

**Case No. 2019-380**

**Paul Calhoun, Mayor, Town of Lake View**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Paul Calhoun has violated the Alabama Ethics Law, 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. 2019-413/415/425/504**

**Shane Smith, Former City Clerk, City of Heflin**

*Chief Justice Stuart moved that based on the evidence as presented to this Commission, there exists cause to hold that Shane Smith 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.*

**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. 2019-118; Case No. 2019-160; Case No. 2019-196; Case No. 2019-202; Case No. 2019-203; Case No. 2019-216; and Case No. 2019-440.** *Ms. Brady 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. 2018-396**

**Chuck Holloway, Supervisor, Street Department, City of Roanoke**

*Mr. Plunk moved that on February 6, 2019, the Alabama Ethics Commission found that Chuck Holloway, Supervisor, Street Department, City of Roanoke, had committed one (1) minor violation of the Alabama Ethics Law. Chuck Holloway 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> Judicial 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 \$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 February 19, 2020. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2018-549**

**Teresa Michelle Croskey, Accountant, Office of Program Integrity, Alabama Department of Public Health**

*Chief Justice Stuart moved that on December 4, 2019, the Alabama Ethics Commission found that Teresa Michelle Croskey, Accountant, Office of Program Integrity, Alabama Department of Public Health, had committed one (1) minor violation of the Alabama Ethics Law. Teresa Michelle Croskey 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 9<sup>th</sup> Judicial Circuit. That request has been approved by Michel O'Dell, District Attorney, 9<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 19, 2020. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2019-126**

**Jerry Revis, General Manager, Roanoke Utilities**

*Mr. Plunk moved that on December 4, 2019, the Alabama Ethics Commission found that Jerry Revis, General Manager, Roanoke Utilities, had committed one (1) minor violation of the Alabama Ethics Law. Jerry Revis 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> Judicial 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 \$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 February 19, 2020. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2019-148**

**Jaqueline Asher, Retired Licensure & Certification Surveyor, Alabama Department of Public Health**

*Chief Justice Stuart moved that on December 4, 2019, the Alabama Ethics Commission found that Jacqueline Asher, Retired Licensure & Certification Surveyor, Alabama Department of Public*

*Health, had committed one (1) minor violation of the Alabama Ethics Law. Jaqueline Asher 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 15<sup>th</sup> Judicial Circuit. That request has been approved by Daryl Bailey, District Attorney, 15<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 \$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 February 19, 2020. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2019-236**

**Brian Bergerson, Jailer, Randolph County Sheriff's Office**

*Ms. Brady moved that on December 4, 2019, the Alabama Ethics Commission found that Brian Bergerson, Jailer, Randolph County Sheriff's Office, had committed one (1) minor violation of the Alabama Ethics Law. Brian Bergerson 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> Judicial 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 \$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 February 19, 2020. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

**Case No. 2019-296**

**Tim Soronen, Retired Lieutenant, City of Demopolis**

*Ms. Brady moved that on December 4, 2019, the Alabama Ethics Commission found that Tim Soronen, Retired Lieutenant, City of Demopolis, had committed one (1) minor violation of the Alabama Ethics Law. Tim Soronen 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> Judicial Circuit. That request has been approved by Gregory Griggers, District 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 \$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 19, 2020. Chief Justice Stuart seconded the motion. Motion passed unanimously with all those present voting.*

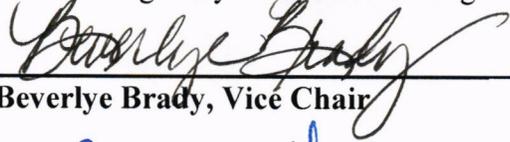
**Administrative Rules**

*Chief Justice Stuart moved to Certify and Adopt the Administrative Rules as written. Ms. Brady seconded the motion. Motion passed unanimously with all those present voting.*

**Adjournment**

*There being no further business, at 11:54 a.m. Chief Justice Stuart 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 1, 2020.



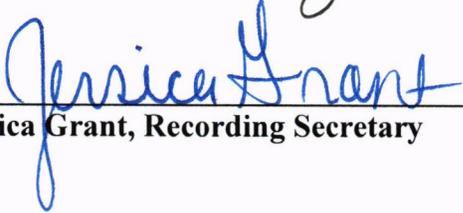
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**Beverly Brady, Vice Chair**



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**Thomas B. Albritton, Executive Director**



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**Jessica Grant, Recording Secretary**