

TENNESSEE ETHICS COMMISSION

The Tennessee Ethics Committee met Friday, December 9, 2016, at Suite 104 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Presiding over the meeting was Jim Stranch. Attending the meeting were board members Greg Hardeman, George P. Jaynes and Charles Traughber. Frank Watson participated via telephone.

Approval of Meeting Minutes

On motion by Jaynes, seconded by Hardeman, the board unanimously to approve the minutes from the September 7, 2016 regular board meeting. (Watson not present at this time)

Requests for Reconsideration

2016-116 Shante Avant – Shelby County School Board, for failure to timely file a 2016 statement of interests. Class two (2), 70 days late, maximum ten thousand (\$10,000) civil penalty. Ms. Avant has had no previous matters before the board.

The notice of civil penalty proceedings was issued June 17, 2016.

Ms. Avant provided a statement for the board's consideration.

The board voted at its September 7, 2016 meeting to assess Ms. Avant a \$25 civil penalty. Ms. Avant requested a reconsideration of the \$25 civil penalty assessment.

Ms. Avant submitted a statement for the board's consideration.

A motion was made by Jaynes, seconded by Traughber, to reconsider and reduce the civil penalty from \$25 to \$0. Jaynes then withdrew the motion. (Watson not present at this time)

2016-068 Greg Barber – Constable (Jefferson Co.), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Barber has had no previous matters before the board.

The notice of civil penalty proceedings was issued March 24, 2016.

The board voted at its April 20, 2016 meeting to assess Mr. Barber a \$1,000 civil penalty. Mr. Barber requested a reconsideration of the \$1,000 civil penalty assessment.

Mr. Barber submitted a statement for the board's consideration.

The board voted at its September 7, 2016 meeting to defer this matter until the next regularly scheduled meeting to allow Mr. Barber further opportunity to file the required report.

Director Rawlins informed the board that there has been no response to the civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to defer action in this matter until the next regularly scheduled meeting to allow Mr. Barber another opportunity to file the required report. (Watson not present at this time)

2016-003 Eric Dunn – Shelby County City Council, for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Dunn has had no previous matters before the board.

The notice of civil penalty proceedings was issued March 16, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

The board voted at its April 20, 2016 meeting to assess Mr. Dunn a \$1,000 civil penalty. Mr. Dunn requested a reconsideration of the \$1,000 civil penalty assessment.

Mr. Dunn submitted a statement for the board's consideration.

The board voted at its September 7, 2016 meeting to defer this matter until the next regularly scheduled meeting to allow Mr. Dunn further opportunity to file the required report.

Director Rawlins informed the board that there has been no response to the civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to defer action in this matter until the next regularly scheduled meeting to allow Mr. Dunn another opportunity to file the required report. (Watson not present at this time)

2016-072 Brandon Howard – Watertown Alderman (Wilson Co.), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Howard has had a previous matter before the board.

The notice of civil penalty proceedings was issued March 24, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

The board voted at its April 20, 2016 meeting to assess Mr. Howard a \$1,100 civil penalty. Mr. Howard requested a reconsideration of the \$1,100 civil penalty assessment. (This matter was forwarded to the Attorney General for collection on September 12, 2016.)

Mr. Howard filed the required report and submitted a statement for the board's consideration.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to reconsider and reduce the civil penalty assessment from \$1,100 to \$250. (Watson not present at this time)

2016-107 Denice Jackson – Trousdale County School Board, for failure to timely file a 2016 statement of interests. Class two (2), 39 days late, maximum ten thousand (\$10,000) civil penalty. Ms. Jackson has had a previous matter before the board.

The notice of civil penalty proceedings was issued June 17, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

The board voted at its September 7, 2016 meeting to assess Ms. Jackson a \$100 civil penalty. Ms. Jackson requested a reconsideration of the \$100 civil penalty assessment.

Ms. Jackson submitted a statement for the board's consideration.

On motion by Hardeman, seconded by Traughber, the board voted unanimously not to reconsider the \$100 civil penalty assessment because Ms. Jackson has an

outstanding civil penalty from a previous case that has not been paid. (Watson not present at this time)

2016-177 Earl LeFlore – House of Representatives – Dist. 96, for failure to file a 2016 statement of interests. Class two (2), 58 days late, maximum ten thousand (\$10,000) civil penalty. Mr. LeFlore has had no previous matters before the board.

The notice of civil penalty proceedings was issued June 17, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

The board voted at its September 7, 2016 meeting to assess Mr. LeFlore a \$100 civil penalty. Mr. LeFlore requested a reconsideration of the \$100 civil penalty assessment.

Mr. LeFlore submitted a statement for the board's consideration.

On motion by Jaynes, seconded by Hardeman, the board voted unanimously not to reconsider the \$100 civil penalty assessment. (Watson not present at this time)

2016-077 David Murrell – Planning Commissioner (Putnam Co.), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Murrell has had no previous matters before the board.

The notice of civil penalty proceedings was issued March 24, 2016.

The board voted at its April 20, 2016 meeting to assess Mr. Murrell a \$1,000 civil penalty. Mr. Murrell requested a reconsideration of the \$1,000 civil penalty assessment.

Mr. Murrell submitted a statement for the board's consideration.

The board voted at its September 7, 2016 meeting to recommend that Mr. Murrell provide the Commission with a notarized letter from the Putnam County Planning Commission stating that he was not in office in 2016 and to defer any action in this matter until the next regularly scheduled meeting.

Director Rawlins informed the board that there has been no further response and that Mr. Murrell has not provided the requested notarized statement.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to defer action in this matter until the next regularly scheduled meeting to allow Mr. Murrell another opportunity to provide the requested notarized statement. (Watson not present at this time)

2016-172 Loren Shell – Sequatchie County School Board, for failure to file a corrected 2016 statement of interests. Class two (2), corrected report not filed, maximum ten thousand (\$10,000) civil penalty. Ms. Shell has had a previous matter before the board.

The notice of civil penalty proceedings was issued August 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the corrected report still has not been filed.

The board voted at its September 7, 2016 meeting to assess Ms. Shell a \$1,000 civil penalty. Ms. Shell requested a reconsideration of the \$1,000 civil penalty assessment.

Ms. Shell submitted a statement for the board's consideration.

Director Rawlins informed the board that the corrected report still has not been filed. (After receiving her reconsideration request, Ms. Shell was notified by letter that the corrected report still had not been filed.)

On motion by Hardeman, seconded by Traughber, the board voted unanimously to defer action in this matter until the next regularly scheduled meeting to allow Ms. Shell another opportunity to file the corrected report. (Watson not present at this time)

Informal Civil Penalty Assessment Proceedings – Local Candidates

2016-179 Bill Fannon – Mayor of Tazewell (Claiborne County), for failure to timely file a 2016 statement of interests. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Fannon has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Jaynes, seconded by Traughber, the board voted unanimously to take no further action in this matter.

2016-180 Bob Strunk – Norris City Council (Anderson County), for failure to timely file a 2016 statement of interests. Class one (1), two days late, maximum fifty (\$50) civil penalty. Mr. Strunk has had a previous matter before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Jaynes, seconded by Traughber, the board voted unanimously to take no further action in this matter.

2016-181 Matt Church – Alderman of LaVergne (Rutherford County), for failure to timely file a 2016 statement of interests. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Church has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Mr. Church personally appeared before the board and explained his failure to timely file the required report.

On motion by Jaynes, seconded by Hardeman, the board voted unanimously to take no further action in this matter.

2016-182 Steven D. Shoemaker – Lenoir City Council (Loudon County), for failure to timely file a 2016 statement of interests. Class one (1), three days late, maximum seventy-five (\$75) civil penalty. Mr. Shoemaker has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Jaynes, seconded by Traughber, the board voted unanimously to take no further action in this matter.

2016-183 William Goodman – Adams City Commissioner (Robertson County), for failure to timely file a 2016 statement of interests. Class one (1), eight days late, maximum two hundred (\$200) civil penalty. Mr. Goodman has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to assess Mr. Goodman a \$25 civil penalty.

2016-197 Shannon Bartz – Samburg Alderman (Obion County), for failure to timely file a 2016 statement of interests. Class one (1), 10 days late, maximum two hundred fifty (\$250) civil penalty. Ms. Bartz has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 15, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to assess Ms. Bartz a \$25 civil penalty.

2016-184 Willie Jay Parker – Dresden Alderman (Weakley County), for failure to timely file a 2016 statement of interests. Class one (1), 20 days late, maximum five hundred (\$500) civil penalty. Mr. Parker has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Traughber, seconded by Jaynes, the board voted unanimously to assess Mr. Parker a \$50 civil penalty.

2016-185 Marcus Hopper – Gleason Alderman (Weakley County), for failure to timely file a 2016 statement of interests. Class one (1), 21 days late, maximum five hundred twenty-five (\$525) civil penalty. Mr. Hopper has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Traughber, seconded by Jaynes, the board voted unanimously to assess Mr. Hopper a \$50 civil penalty.

2016-170 Andy Huffer – Metro Council (Moore County), for failure to timely file a 2016 statement of interests. Class two (2), 50 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Huffer has had no previous matters before the board.

The notice of civil penalty proceedings was issued June 29, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the completed report still has not been filed.

The board voted at its September 7, 2016 meeting to defer any action until the next regularly scheduled meeting to allow Mr. Huffer an opportunity to file the correct report.

The notice of civil penalty proceedings was issued November 9, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the correct report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to assess Mr. Huffer a \$500 civil penalty.

2016-191 Matt Zorvan – Winfield Alderman (Scott County), for failure to file a 2016 statement of interests. Class two (2), 50 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Zorvan has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10 2016.

Mr. Zorvan filed the required report and submitted a statement for the board's consideration.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to assess Mr. Zorvan a \$50 civil penalty.

2016-188 Brian Nunley – Marion County School Board, for failure to timely file a 2016 statement of interests. Class two (2), 84 days late, maximum ten thousand (\$10,000) civil penalty. Mr. Nunley has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Watson, seconded by Jaynes, the board voted unanimously to assess Mr. Nunley a \$100 civil penalty.

2016-186 Tracy Boyd – Board of Education (Madison County), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Boyd has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to assess Ms. Boyd a \$1,000 civil penalty.

2016-187 Anthony Carroll – Gleason Alderman (Weakley County), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Carroll has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 12, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to assess Mr. Carroll a \$1,000 civil penalty.

2016-189 Patrick Pebley – Caryville Alderman (Campbell County), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Mr. Pebley has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to assess Mr. Pebley a \$1,000 civil penalty.

2016-190 Heather Williams – Bell Buckle Alderman (Bedford County), for failure to file a 2016 statement of interests. Class two (2), no report filed, maximum ten thousand (\$10,000) civil penalty. Ms. Williams has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

On motion by Hardeman, seconded by Traughber, the board voted unanimously to assess Ms. Williams a \$1,000 civil penalty.

Informal Civil Penalty Assessment Proceedings – Employers of Lobbyists

2016-193 Ocoee River Outfitters Association, Inc., for failure to timely correct lobbying expenditure report for 2016. Class one (1), two days late, maximum fifty (\$50) civil penalty. The organization has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Blake McPherson, representative of the organization, submitted a sworn statement for the board's consideration.

On motion by Watson, seconded by Hardeman, the board voted unanimously to take no further action in this matter.

2016-192 John Moore, for failure to timely correct lobbying expenditure report for 2016. Class one (1), 13 days late, maximum three hundred twenty-five (\$325) civil penalty. The organization has had no previous matters before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Mr. Moore submitted a sworn statement for the board's consideration.

On motion by Watson, seconded by Traughber, the board voted 4 to 1 to assess Mr. Moore a \$50 civil penalty, with Stranch "recusing."

2016-194 TN Construction Coalition, for failure to timely file a 2016 lobbying expenditure report. Class one (1), nine days late, maximum two hundred twenty-five (\$225) civil penalty. The organization has had a previous matter before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

A representative for the organization personally appeared before the board and explained their failure to timely file the required report.

On motion by Hardeman, seconded by Jaynes, the board voted unanimously to take no further action in this matter.

2016-195 Microsoft Corporation, for failure to timely file a 2016 lobbying expenditure report. Class one (1), 15 days late, maximum three hundred seventy-five (\$375) civil penalty. The organization has had a previous matter before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings.

On motion by Jaynes, seconded by Hardeman, the board voted unanimously to assess the organization a \$375 civil penalty.

2016-196 Neighbors of Old Hickory, for failure to file a 2016 lobbying expenditure report. Class one (1), no report filed, maximum seven hundred fifty (\$750) civil penalty. The organization has had a previous matter before the board.

The notice of civil penalty proceedings was issued November 10, 2016.

Director Rawlins informed the board that there has been no response to the notice of civil penalty proceedings and that the report still has not been filed.

A motion was made by Hardeman, seconded by Jaynes, to assess the organization a \$250 civil penalty. Hardeman then withdrew the motion. On motion by Traugher, seconded by Hardeman, the board voted unanimously to assess the organization a \$50 civil penalty.

Other Business

- Without objection, the board voted unanimously to adjourn the meeting until the next regularly scheduled meeting.