

STATE OF TENNESSEE



BUREAU OF ETHICS AND CAMPAIGN FINANCE TENNESSEE ETHICS COMMISSION

404 James Robertson Parkway, Suite 104
Nashville, TN 37243-1360

(615) 741-7959

Fax: (615) 532-8905

www.tn.gov/tec

BOARD MEMBERS

Charles Traughber, Chair
Tammy S. White, Secretary
Stacey Floyd-Thomas
Duane Gilbert
Lynn Richardson
Martin G. McCain

EXECUTIVE DIRECTOR

Bill Young

TENNESSEE ETHICS COMMISSION

Public Meeting Minutes

January 24, 2023

The Tennessee Ethics Commission met Tuesday, January 24, 2023 for its regularly scheduled meeting. The meeting began at 9:00 AM and was held at the W.R. Snodgrass Tennessee Tower, located at 312 Rosa L. Parks Ave., Nashville, TN, in the Seventh Floor Conference Room.

Presiding over the meeting was Commission Chairman Charles Traughber. Also attending the meeting were Commissioners Duane Gilbert, Lynn Richardson, Stacey Floyd-Thomas, and Martin G. McCain. Commissioner White participated in the meeting via telephone. A quorum of members was physically present at all times. Executive Director Bill Young, Assistant Director Lance Frizzell, General Counsel Lauren Topping, and Chief of Staff Janet Williams were also in attendance. The Commission's meeting was recorded for the public and the video recording is to be made available on the Commission's website.

At the outset of the meeting, Director Young introduced and welcomed the newest member of the Tennessee Ethics Commission, Dr. Martin G. McCain of Memphis. Each of the members of the Commission introduced themselves.

- 1. Approval of September 27, 2022 minutes.** Chairman Traughber requested the members to approve the minutes of the September 27, 2022 meeting as presented in the Commission's materials. These minutes were unanimously approved by voice vote (6-0).
- 2. Election of Officers.** Commissioner Richardson moved to reelect Chairman Traughber as Chairman for the upcoming year. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved (5-0). Commissioner Gilbert then moved to reelect Commissioner White as Secretary for the upcoming year. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

Director Young proposed that certain items on the Commission's agenda be taken out of order to allow participants who were physically present or participating by phone to have their matters heard expeditiously so they could then leave the meeting if they wished. Commissioner Richardson moved to approve Director Young's request. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

(6-0). *(Although some items on the agenda were taken out of order, these minutes will continue to reflect the scheduled order of events according to the published agenda.)*

3. Reconsiderations.

Joe Akins – 2022-274: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner White moved to reconsider the previously assessed civil penalties in this matter. Chairman Traugher seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

James Benau – 2022-119: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Richardson moved that this matter be deferred to the Commission’s next scheduled meeting and requested that Staff reach out to Mr. Benau to request that he submit the outstanding Statement of Interest Disclosure before the Commission made any determination on the request for reconsideration. Commissioner, Gilbert seconded the motion, which was unanimously approved.

Scottie Betts – 2022-120: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

Barbara Johnson – 2022-201: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

Jeff Joines – 2022-296: Mr. Joines personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

Julie Jones-Coleman – 2022-150: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Richardson moved to waive the previously

assessed civil penalties. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

Scottie Kizer – 2022-152: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Richardson moved to waive the previously assessed civil penalties. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

Bryan Richter – 2022-204: Mr. Richter personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner White moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner White moved to waive the previously assessed civil penalties. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

Sadie Roberts – 2022-307: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

Kay Johnson Scholler – 2022-166: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Richardson moved to reconsider the previously assessed civil penalties in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved. Commissioner White moved to waive the previously assessed civil penalties. Commissioner Gilbert seconded the motion, which was unanimously approved by roll call vote.

Karen Schwahn – 2022-322: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner McCain seconded the motion, which was unanimously approved by roll call vote.

Freddie C. Seavers, III – 2022-167: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Richardson moved to reconsider the previously assessed civil penalties in this matter. Commissioner White seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

Angela Summers – 2022-176: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner White moved to reconsider the previously assessed civil penalties in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Gilbert seconded the motion, which was unanimously approved by roll call vote.

Rodney Fred Underwood – 2022-183: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas moved to waive the previously assessed civil penalties. Commissioner Gilbert seconded the motion, which was unanimously approved by roll call vote.

Kirt Wade – 2022-184: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner McCain moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Richardson moved to waive the previously assessed civil penalties. Commissioner Gilbert seconded the motion, which was unanimously approved by roll call vote.

David Phillip Walker – 2022-315: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner Floyd-Thomas moved to reconsider the previously assessed civil penalties in this matter. Commissioner McCain seconded the motion, which was unanimously approved. Commissioner Richardson moved to waive the previously assessed civil penalties. Commissioner White seconded the motion, which was unanimously approved by roll call vote.

Tamika White – 2022-188: After a short discussion of the facts of this matter and the request for reconsideration submitted, Commissioner McCain moved to reconsider the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Richardson moved to waive the previously assessed civil penalties. Commissioner White seconded the motion, which was unanimously approved by roll call vote.

4. Informal civil penalty assessment proceedings – Local Candidates

Commissioner Richardson moved to take no action on the following matters, which were each less than 7 penalty days late. Commissioner Gilbert seconded the motion, which was unanimously approved.

William Boone – 2023-093

Jay Emberton – 2023-097

Steven Brent Hammonds – 2023-101

Eric Jackson – 2023-136

Bill James – 2023-102

Donald Pertzborn – 2023-094

J.D. Watson – 2023-095
Virginia Drinnon – 2023-001
Michael G. Floyd – 2023-122
Randy McBroom – 2023-123
Rocky McInturff – 2023-103
J.W. Rogers – 2023-096
Dwain Seaton – 2023-002
Josh White – 2023-003
Chelsea Glass – 2023-098

Teresa Adkins – 2023-107
Stacia Atkinson Anglin – 2023-004
Steven Carter – 2023-106
Andy Ford – 2023-005
Lance Grigsby – 2023-006
Hal Mosier – 2023-099
Billy Harkins – 2023-100
Christian Johnson – 2023-007

Commissioner Floyd-Thomas moved to take no action on the following matters, which were each more than 7 but less than 15 penalty days late. Commissioner Richardson seconded the motion, which was unanimously approved.

Kevin Dugan – 2023-105
Dennis Jones – 2023-137
Kenneth Moody – 2023-008

Caleb Story – 2023-009
Dale Miller – 2023-104

Commissioner Floyd-Thomas moved to take no action on the following matters, which were each more than 15 but less than 30 penalty days late. Commissioner Gilbert seconded the motion, which was unanimously approved.

Shawna Walker Farmer – 2023-011
Chasen Curtis – 2023-012
David Debord – 2023-013

Flora Awuku – 2023-126
Marty Webster – 2023-108

Commissioner Richardson moved to consider the following matters together, as a group. Chairman Traugher seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas then moved to take no action on these matters, which were each more than 30 penalty days late. Commissioner Richardson seconded the motion, which was unanimously approved.

Bethany Jones – 2023-129
Tracy Clough – 2023-020
Robert Kirkland – 2023-116
Stacia Atkinson Anglin – 2023-124
Annette Justice – 2023-115
Joshua Gilliam – 2023-010
Donnie Sexton – 2023-119
Lettie Hall – 2023-128
Jacob Painter – 2023-118
Timothy Wirgau – 2023-317
Jeffrey Fink – 2023-024
Jonathan Ashburn – 2023-015

Alex Harbaugh – 2023-029
Charlene Harbaugh – 2023-030
Keith Williams – 2023-057
Mark Poindexter – 2023-047
Rusty Grove – 2023-028
Billy Smith – 2023-050
George Floyd – 2023-025
Steven Phipps – 2023-046
Eddie Ray Asberry – 2023-016
Daniel Murley – 2023-039
Chris Abbott – 2023-014
Justin Booth – 2023-018

Molly Blankenship – 2023-017: Ms. Blankenship participated in the Commission’s meeting by telephone and presented a statement to the Commission. After a short discussion, Commissioner Floyd-Thomas moved to take no action on this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Commissioner Floyd-Thomas moved to consider the following matters together, as a group. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas then moved to take no action on the following matters. Commissioner White seconded the motion, which was unanimously approved.

Jeremy Davis – 2023-127
Stacy Hayes – 2023-114
Robert Owens – 2023-042

Dee Shawn Peoples – 2023-045
Joe Stagner – 2023-130

Commissioner Richardson moved to consider the following matters together, as a group. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved. In all these matters no statement of interests had yet been filed with the Ethics Commission by the person required by Tennessee law to file this statement. Commissioner Richardson then moved to assess a civil penalty of \$1000 in each of these matters. Commissioner White seconded the motion, which was unanimously approved.

Ben Adams – 2023-125
Marilyn Bryant – 2023-019
Thomas Burrell – 2023-109
Val Edwards George – 2023-022
Wanda Faulkner – 2023-023
Will Green – 2023-110
Terry Greer – 2023-026
Tony Lynn Gregory – 2023-027
Jerry Hall – 2023-111
John R. Harrison – 2023-113
Janeen Kingma – 2023-032
Elois Ledford – 2023-033
Kenny Lee – 2023-034

Sandra Jane Madison – 2023-117
Daniel McCoy – 2023-035
Jimmy Miles – 2023-038
Kris Murphy – 2023-040
Kenneth Newsome – 2023-041
Sandy Norris Smith – 2023-051
David Page – 2023-043
Cody Parker – 2023-044
Jarrod Luke Robbins – 2023-048
Tyler Lane Sharp – 2023-049
Jay Sterling – 2023-052
Nolan Tippens – 2023-053
Arnold Weiner – 2023-055

Scott Crammond – 2023-021: Mr. Crammond personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner Floyd-Thomas moved to defer any further consideration of this matter to the Commission’s next scheduled meeting to allow Mr. Crammond to file the outstanding Statement of Interest disclosure. Commissioner Richardson seconded the motion, which was unanimously approved.

Robert Medina – 2023-037: After a short discussion of the facts of this matter, Commissioner Richardson moved to assess a civil penalty of \$5000, citing Mr. Medina’s history of non-

compliance and previous outstanding civil penalties. Commissioner White seconded the motion, which was unanimously approved by roll call vote.

Rob White – 2023-056: After a short discussion of the facts of this matter, Commissioner Richardson moved to assess a civil penalty of \$2500, citing Mr. White’s history of non-compliance and previous outstanding civil penalties. Commissioner White seconded the motion, which was unanimously approved by roll call vote.

5. Informal civil penalty assessment proceedings – Local Officials

Heather Savage – 2023-058: After a short discussion, Commissioner White moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Dewayne L. Kitts – 2023-059: After a short discussion, Chairman Traugher moved to take no action in this matter. Commissioner White seconded the motion, which was unanimously approved.

Indira Dammu – 2023-061: After a short discussion, Commissioner White moved to take no action in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved.

Candy Emerson – 2023-062: After a short discussion, Commissioner Richardson moved to take no action in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved.

Commissioner Floyd-Thomas moved to consider the following matters together, as a group. Commissioner McCain seconded the motion, which was unanimously approved. In each of these matters no statement of interests had been filed with the Ethics Commission as required by Tennessee law. Commissioner Richardson then moved to assess a civil penalty of \$1000 in each of these matters. Commissioner White seconded the motion, which was unanimously approved.

Devon Johnson – 2023-063

Brandon Lee Odle – 2023-064

Jason Parnell – 2023-121: After a short discussion of the facts of this matter, Commissioner Richardson moved to assess a civil penalty of \$1500, citing Mr. Parnell’s history of non-compliance and previous outstanding civil penalties. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

Calvin Bruce Tanner – 2023-065: After a short discussion of the facts of this matter, Commissioner Richardson moved to assess a civil penalty of \$2500, citing Mr. Parnell’s history of non-compliance and previous outstanding civil penalties. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

6. Informal civil penalty assessment proceedings – State Candidates

Rhonnie Brewer – 2023-066: After a short discussion, Commissioner Richardson moved to take no action in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

Justin Jones – 2023-067: Representative Jones personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner White moved to take no action in this matter. Commissioner Richardson seconded the motion, which was approved by voice vote (5-0). Commissioner Floyd-Thomas recused herself in this matter.

Ed Butler – 2023-068: After a short discussion, Commissioner Richardson moved to take no action in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

Commissioner Richardson moved to take no action in the following matters, in which the statements of interests had been filed but were not timely filed. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

James Jones, Jr. – 2023-083

Janika White – 2023-082

Steve Finney – 2023-335

Will Richardson – 2023-077

Tim Roberts – 2023-078

Michael Swisher – 2023-079

Yog Nepal – 2023-075: Mr. Nepal personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner Floyd-Thomas moved to take no action in this matter. Commissioner White seconded the motion, which was unanimously approved.

Angela Redden – 2023-076: Ms. Redden personally appeared before the Commission and presented a statement to the Commission. After a short discussion, Commissioner White moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Commissioner Richardson moved to consider the following matters together, as a group. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved. In each of these matters no statement of interests had been filed as required by Tennessee law. Commissioner Richardson then moved to assess a civil penalty of \$1000 in each of these matters. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

Keaton Bowman – 2023-069

Toniko Harris – 2023-074

Melissa Boyd – 2023-070

Paul Robinson – 2023-138

Curtis Carney – 2023-071

Frederick Tappan – 2023-080

Israel David Farless – 2023-072

Rick Tyler – 2023-081

Donnie Hall – 2023-073

7. Informal civil penalty assessment proceedings – State Officials

Raumesh Akbari – 2023-084: At the outset of discussion on this matter, Director Young reported that Senator Akbari had requested to personally appear at the Commissions meeting but had contacted Director Young shortly before the meeting that she would be unable to attend due to a last-minute personal conflict. After a short discussion, Commissioner McCain moved to take no action on this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Jennifer Johnson Mitchell – 2023-149: After a short discussion, Commissioner Richardson moved to take no action in this matter. Commissioner McCain seconded the motion, which was unanimously approved.

8. Informal civil penalty assessment proceedings – Lobbyists

Laurie Brown – 2023-085: After a short discussion, Commissioner Richardson moved to take no action in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved.

Brandon Tucker – 2023-086: After a short discussion, Commissioner White moved to assess a civil penalty of \$750 in this matter given the required registration fee had not been paid. Commissioner Gilbert seconded the motion, which was unanimously approved by roll call vote.

9. Informal civil penalty assessment proceedings – Employers of Lobbyists

Guerrier Development, LLC – 2023-132: After a short discussion, Commissioner Gilbert moved to take no action in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

25 for Life – 2023-338, 2023-339: Ms. Jeanie Alexander and Ms. Heather Meshell personally appeared before the Commission on this matter and presented a statement to the Commission. These matters were consolidated. After a short discussion, Commissioner White moved to take no action in these matters. Chairman Traughber seconded the motion, which was unanimously approved.

Schroder Investment Management North America Inc. – 2023-133: After a short discussion, Commissioner McCain moved to take no action on this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Taxpayers for Logical Sentencing – 2023-087, 2023-088: These matters were consolidated. After a short discussion, Commissioner White moved to assess a civil penalty of \$750 in each matter given in each case the required registration fee had not been paid. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved by roll call vote.

TN Cable & Broadband Association – 2023-091: Chris Richardson and John Farris personally appeared before the Commission in this matter and presented a statement to the Commission. After

a short discussion, Commissioner Floyd-Thomas moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Rx Development Associates, Inc. – 2023-090: Robert Gowan and Elizabeth Millsaps personally appeared before the Commission in this matter and presented a statement to the Commission. After a short discussion, Commissioner White moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Commissioner Floyd-Thomas moved to consider the following matters together, as a group. Commissioner Richardson seconded the motion, which was unanimously approved. Commissioner Floyd-Thomas then moved to take no action in these matters. Commissioner McCain seconded the motion, which was unanimously approved.

National Trust for Historic Preservation
– 2023-089

Pennington Distilling Company – 2023-
134

Integrated Biometric Technology LLC –
2023-135

Infostructure, Inc. – 2023-092

10. Rescind civil penalty assessments

After a short explanation to the Commission from Ms. Williams, Commissioner McCain moved to rescind the civil penalties previously assessed in each of the following matters. Commissioner Richardson seconded the motion, which was unanimously approved by roll call vote.

George Hampton – 2022-137
Tanea McClean – 2022-157

Daveisha Moore – 2022-250

11. Discussion of Collection of Unpaid Civil Penalties. Director Young advised the Commission that he, along with the Commission’s staff, was currently working with the Office of the Attorney General to improve the process for collecting unpaid civil penalties and determining which civil penalties were uncollectible. A short discussion of the collections process and the consequences for non-payment of civil penalties followed. No action was requested or required.

12. Code of Conduct/Statement of Interests. Counsel for the Commission presented the Commission’s 2023 Code of Conduct statement. Commissioner Gilbert moved to approve the Code of Conduct statement as presented. Chairman Traughber seconded the motion, which was unanimously approved. Commissioners were also reminded that Statement of Interest disclosures should be filed no later than January 31, 2023.

13. Set date of Ethics Commission’s next meeting. After a short discussion, the Commission determined that its next meeting would be held on May 9, 2023 at 9:00 AM. A location for the meeting will be determined based on conference room availability.

14. Other business. None.

15. Executive Session. None.

Meeting Adjourned.