

**APRIL 20, 2023, MEETING MINUTES  
REGISTRY OF ELECTION FINANCE**

The Registry of Election Finance (“the Registry” or “the Board”) of the Bureau of Ethics and Campaign Finance (“the Bureau”) met at 9:30 AM on Thursday, April 20, 2023 in Conference Room D of the Tennessee Tower’s 3<sup>rd</sup> Floor Conference Center located at 312 Rosa L. Parks Ave., Nashville, TN 37243.

Presiding over the meeting was Chairman Tom Morton. Attending the meeting were Board Members Tom Lawless, Paige Burcham-Dennis, David Golden, Hank Fincher, and Paz Haynes. Executive Director Bill Young, Assistant Director Lance Frizzell, General Counsel Lauren Topping, Chief of Staff Janet Williams and Director of Audit Jay Moeck also were in attendance. The meeting was open to the public. This meeting was recorded via video and audio recording.

Executive Director Young opened the meeting by noting that a physical quorum of the Registry members was present.

At the outset of the meeting, Director Young requested that all matters set for hearing pertaining to the following individuals be continued to the Registry’s next regularly scheduled meeting:

Katrina Robinson  
Lamichael Wilson  
A. Melissa Boyd  
Mark Davidson

The request for continuances was approved (5-1) following a motion and second, with Member Lawless opposed.

***Approval of Meeting Minutes***

Member Lawless moved to approve the meeting minutes of the Registry’s previous January 19, 2023, meeting as presented. Member Golden seconded the motion, which was unanimously approved by voice vote (6-0).

Member Lawless moved to suspend the rules to allow the Registry to proceed out of order so that those present in the room with matters before the Registry could be heard first. The motion was seconded and unanimously approved. *Nonetheless, the minutes will reflect the matters in the order they were placed on the Registry’s published agenda.*

### ***Audit for Review and Discussion***

Nathaniel Varner: After a short discussion, Member Lawless moved to accept, approve, and publish the audit as written. The motion was seconded and unanimously approved. The audit contained no findings; therefore, no action was necessary.

### ***Discussion of Status of Gary Humble Audit***

Director Young noted that Counsel for Mr. Humble, Larry Crain, was present at the meeting. After a short discussion, Member Burcham-Dennis moved to issue a subpoena to Mr. Humble and any appropriate banking institution to compel production of documentation necessary to complete the audit. Member Lawless seconded the motion. Member Morton moved to amend the earlier motion to also issue a show cause notice concerning Mr. Humble's failure to comply with the audit request. Member Burcham-Dennis accepted the friendly amendment. Member Lawless seconded the amended motion.

After additional discussion, Member Morton requested a vote on whether to allow Mr. Crain to address the Registry. The Registry members determined, by a vote of 2-4, that Mr. Crain would not be allowed to address the Registry at this juncture, noting that opportunities to do so would be available at a later date.

Following this discussion, a vote on the earlier motion to issue a subpoena to Mr. Humble and any appropriate banking institution to compel production of documentation necessary to complete the audit and to also issue a show cause notice concerning Mr. Humble's failure to comply with the audit request was held. The motion was approved by roll call vote (4-1) with Member Lawless abstaining and Member Fincher voting no.

### ***Discussion on Closing Out Representative Barbara Cooper's Campaign Account***

After a short discussion of this matter and the Director of Audit's recommendation for addressing this matter, Member Fincher moved to accept the recommendation and to authorize the Director of Audit to proceed with implementation of the recommended actions. Member Lawless seconded the motion, which was unanimously approved.

### ***Show Cause Hearings***

Khadija Babb, Case Nos. 22-39, 22-40, 23-29: Judge Babb appeared in person at the Registry's meeting and presented a statement to the Registry. Judge Babb waived any additional notice concerning a show cause hearing pertaining to her Third Quarter report

(Case No. 23-29) in order to allow these matters to be consolidated and heard together. (Case numbers assigned post meeting.) After a short discussion, Member Burcham-Dennis moved to assess a civil penalty of \$750 on all three matters. Member Lawless requested to amend the motion to assess a civil penalty of \$500 on all three matters. After additional discussion, Member Golden moved to amend the motion to assess a civil penalty of \$250 on Case No 22-39, and take no action on other two matters. Member Lawless seconded the motion as amended, which was approved by roll call vote (5-1, Morton opposed).

Workplace Democracy & Justice, Case Nos. 23-27, 23-28: After a short discussion, Member Fincher moved to assess a civil penalty of \$250 for both cases (total). Member Haynes seconded the motion, which was approved by roll call vote (5-1, Lawless opposed).

### ***Reconsiderations***

Daniel Berry, Case Nos. 22-41, 22-42: Mr. Berry personally appeared at the Registry's meeting and presented a statement to the Registry. Member Haynes moved to reconsider this matter. Member Fincher seconded the motion, which was approved. After additional discussion, Member Lawless moved to assess a civil penalty of \$250 in each case. After additional discussion, Member Lawless amended his motion to assess a civil penalty of \$300 total for both cases. Member Haynes seconded the motion as amended. The motion was unanimously approved by roll call vote.

Marion LaTroy A. Williams, Jr., Case No. 22-54: After a short discussion, Member Golden moved to reconsider this matter. Member Lawless seconded this motion, which was unanimously approved. Member Golden then moved to take no further action in this matter (penalty waived). Member Haynes seconded the motion, which was unanimously approved.

Conservative Voice for Life, Case No. 22-55: Elijah Goins appeared on behalf of the organization and addressed the Registry. Member Haynes moved to reconsider the assessed penalty in this matter. Member Fincher seconded the motion, which was approved. Member Fincher moved to consolidate this matter with Case No. 23-21 and to assess a civil penalty of \$250 for both matters (total). Member Lawless seconded the motion, which was unanimously approved by roll call vote.

### ***Statements Submitted***

Amanda B. Dunn, Case No. 23-05: After a short discussion, Member Fincher moved to assess a civil penalty of \$250. Member Golden seconded the motion, which was approved by roll call vote (4-2, Members Morton and Lawless opposed).

Sherry Grubb, Case No. 23-06: Chairman Morton recused himself from consideration of this matter. After a short discussion, Member Fincher moved to take no action. Member Lawless seconded the motion, which was unanimously approved (5-0).

Basil Marceaux, Case Nos. 22-50, 23-34: Mr. Marceaux personally appeared before the Registry and presented a statement to the board. Member Lawless moved to take no action on this matter, as well as the other matter before the board concerning Mr. Marceaux's 4<sup>th</sup> Quarter report (Case No. 23-34 assigned post meeting), on the grounds that Mr. Marceaux is incompetent and therefore any assessment would be unenforceable. No second. After additional discussion, Member Golden then moved to dismiss both matters and take no action. Member Lawless seconded the motion, which was unanimously approved by roll call vote.

Kevin A. West, Case No. 23-18: After a short discussion, Member Fincher moved to take no action. Member Golden seconded the motion, which was approved by roll call vote (4-2, Members Morton and Lawless opposed).

Highlands Physicians PAC, Case No. 23-23: Member Golden recused himself from consideration of this matter. After a short discussion, Member Burcham-Dennis moved to assess a maximum civil penalty of \$425. Member Lawless seconded the motion, which was approved by roll call vote (4-1, Member Haynes opposed).

Southern AG Coalition, Case Nos. 23-30, 23-31: These matters are before the Registry for possible issuance of a show cause notice; however, a written statement was submitted to the Registry concerning these matters. (Case numbers assigned post meeting.) Member Haynes recused himself from consideration of these matters. After a short discussion, Member Morton moved to issue a show cause notice in both matters. Member Lawless seconded the motion, which was unanimously approved.

### ***Consideration of Civil Penalty Orders***

Curtis Carney, Case Nos. 23-02, 23-03: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000 in each matter. Member Golden seconded the motion, which was unanimously approved by roll call vote.

Althea Greene, Case No. 22-19: Reverend Greene personally appeared at the Registry's meeting and presented a statement to the Registry. After a short discussion, Member Lawless moved to assess a civil penalty of \$250. Member Fincher seconded the motion, which was unanimously approved by roll call vote.

Sergio Gutierrez, Case No. 23-07: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000. Member Golden seconded the motion, which was unanimously approved by roll call vote.

Donnie Hall, Case Nos. 23-08, 23-09, 23-10: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000 in each matter. Member Golden seconded the motion, which was unanimously approved by roll call vote.

Jonathan Hall, Case No. 23-11: After a short discussion, Member Burcham-Dennis moved to assess a civil penalty of \$10,000. Member Lawless seconded the motion, which was approved by roll call vote (5-0, Member Haynes abstaining).

Mark Miller, Case No. 23-12: After a short discussion, Member Haynes moved to assess a civil penalty of \$250. Member Golden seconded the motion, which was approved by roll call vote (5-1, Fincher opposed).

P. Danielle Nellis, Case Nos. 23-13, 23-32, 23-33: Ms. Nellis personally appeared at the Registry's meeting and presented a statement to the Registry. Case No. 23-13 and two other matters, both under consideration for possible issuance of a show cause notice, were taken together. (Case numbers assigned post meeting). As of the date of the meeting, all three missing reports were still outstanding. After a short discussion, Member Haynes moved to take no action on all three matters and to table the motion until the Registry's August meeting to allow Ms. Nellis additional time to file the outstanding reports. Member Fincher seconded the motion. Member Lawless moved to amend the motion as follows: if not completed by August meeting, these matters will be automatically continued to the Registry's October meeting. The amendment to the motion was accepted, and the amended motion was approved by voice vote. (The Registry also stated that if everything is resolved by the next Registry meeting, then there is no need for Ms. Nellis to appear before the Registry again.)

Hannah Parton, Case No. 23-14: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000. Member Fincher seconded the motion, which was unanimously approved by roll call vote.

Mitchell Skelton, Case No. 23-16: After a short discussion, Member Fincher moved to assess a civil penalty of \$10,000. Member Golden seconded the motion, which was unanimously approved by roll call vote.

Rick Tyler, Case No. 23-17: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000. Member Burcham-Dennis seconded the motion, which was approved by roll call vote (4-2, Members Fincher and Haynes opposed).

Robert Roger Young, Case No. 23-19: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000. Member Fincher seconded the motion, which was unanimously approved by roll call vote.

AutoZone, Inc. Committee for Better Govt., Case No. 23-20: After a short discussion, Member Fincher moved to assess a civil penalty of \$250. Member Lawless seconded the motion, which was approved by roll call vote (5-0, Member Haynes abstains).

CWAA PAC, Case No. 23-22: After a short discussion, Member Lawless moved to assess a civil penalty of \$250. Member Haynes seconded the motion, which was unanimously approved by roll call vote.

Vote No on 1, Case Nos. 23-24, 23-25: After a short discussion, Member Lawless moved to assess a civil penalty of \$10,000 in each matter. Member Fincher seconded the motion, which was unanimously approved by roll call vote.

We Are Ready Nashville PAC, Case No. 23-26: After a short discussion, Member Fincher moved to assess a civil penalty of \$10,000. Member Golden seconded the motion, which was approved by roll call vote (5-0, Member Haynes abstains).

***Persons Subject to Possible Issuance of Show Cause Notice***

Member Morton moved to take the following actions in each of the following matters:

Julian Bolton	Show Cause
A. Melissa Boyd (3rd Quarter)	Show Cause
A. Melissa Boyd (4th Quarter)	Show Cause
Kenya Brooks	Show Cause
Curtis Carney	Show Cause
Mark Davidson	Show Cause
Juliette Eskridge	Show Cause
Gabriel Fancher	Take No Action

Kesa Fowler	Take No Action	
Kent Griffy	Show Cause	
Donnie Hall	Show Cause	
Pime Hernandez	Show Cause	
Thomas Jefferson	Show Cause	
Eddie Johnson	Take No Action	
Antonio Parkinson	Take No Action	
Kyle D. Parks (3rd Quarter)	Show Cause	
Kyle D. Parks (4th Quarter)	Show Cause	
Hannah Parton	Show Cause	
Dominique Primer	Show Cause	
Will Richardson	Show Cause	
Amber Riddle	Take No Action	
Ross A. Sampson	Show Cause	
Mitchell Skelton	Show Cause	
Guy Smoak	Take No Action	
Robert (Bob) Weiss	Take No Action	
Thomas D. Willoughby	Take No Action	
Lemichael D. Wilson	Show Cause	
John Mark Windle	Take No Action	
Samuel D. Winnig	Show Cause	
Brian Woliver	Show Cause	
Morgan Woodberry	Take No Action	
Robert Roger Young	Show Cause	
Chattanooga for Responsible Government (3rd Quarter)		Show Cause
Chattanooga for Responsible Government (Pre-General)		Show Cause
Clarksville Firefighters PAC (3rd Quarter)	Show Cause	
Clarksville Firefighters PAC (Pre-General)	Show Cause	
Dickson Co. Democratic Party	Take No Action	
East TN Leadership PAC	Take No Action	
Hawkins County Republican Committee	Show Cause	
JMS PAC	Take No Action	
Tennessee College Democrats	Show Cause	
Vote No on 1 (SMC)	Show Cause	

Member Lawless seconded the motion, which was unanimously approved by roll call vote.  
Member Golden recused himself on the Hawkins County Republican Committee matter.

Member Morton abstains with respect to the below listed matters. Member Lawless moves to take no action in each of these matters; Member Fincher seconded the motion, which was unanimously approved (5-0).

Sullivan Co. Republican Party (2021 YE Supp)	Take No Action
Sullivan Co. Republican Party (1st Quarter)	Take No Action
Sullivan Co. Republican Party (2nd Quarter)	Take No Action

### ***Sworn Complaint***

James T. Jacobs v. American Prosperity Group, Case No. C23-01: After a discussion of the facts alleged in this matter, Member Haynes moved to find that the Registry lacked jurisdiction over the allegations raised by the complaint and to refer the complaint to the local District Attorney's office for further investigation and appropriate action. Member Lawless seconded the motion, which was unanimously approved.

### ***Discussion of Legislative Update***

Assistant Director Frizzell and Counsel Topping briefly updated the Registry members on the status and impact of legislation passed during the 2023 legislative session impacting the Registry as well as the Ethics Commission.

### ***Bureau Relocation Update***

Director Young advised the Registry members of updated information concerning the Bureau's upcoming relocation of offices to the Tennessee Tower from Parkway Towers.

***Other Business*** -- None.

***Next Meeting set for 9:30 AM CST on June 15, 2023***

### ***Executive Session***

***Meeting Adjourned.***