

STATE OF TENNESSEE



BUREAU OF ETHICS AND CAMPAIGN FINANCE TENNESSEE ETHICS COMMISSION

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BOARD MEMBERS

Charles Traughber, Chair
Tammy S. White, Secretary
Stacey Floyd-Thomas
Duane Gilbert
Lynn Richardson
James G. Stranch, III

EXECUTIVE DIRECTOR

Bill Young

TENNESSEE ETHICS COMMISSION

Public Meeting Minutes

September 27, 2022

The Tennessee Ethics Commission met Tuesday, September 27, 2022 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 Conference Room D of the 3rd Floor Conference Center.

Presiding over the meeting was Commission Chairman Charles Traughber. Also attending the meeting were Commissioners Tammy White, Duane Gilbert, Lynn Richardson, Jim Stranch, and Stacey Floyd-Thomas. Commissioners Jim Stranch and Stacey Floyd-Thomas arrived at the meeting late; however, a quorum of members was physically present at all times. Executive Director Bill Young, Assistant Director Lance Frizzell, General Counsel Lauren Topping, Chief of Staff Janet Williams and Director of Audit Jay Moeck 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 presented the following preliminary matters for the Commission's consideration. First, Director Young requested that the agenda items pertaining to Steve Finney (2022-335) and Jennifer Johnson Mitchell (2022-149) be deferred to the Commission's next regularly scheduled meeting. Commissioner White moved to approve Director Young's request. Commissioner Richardson seconded the motion, which was unanimously approved (4-0). Second, Director Young requested that Ms. Williams conduct a roll call of the members of the public participating in the meeting via telephone. Lastly, 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 White moved to approve Director Young's request. Commissioner Richardson seconded the motion, which was unanimously approved (4-0). *(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.)*

- 1. Approval of May 10, 2022 minutes.** Commissioner White moved to approve the minutes of the May 10, 2022 meeting as presented in the Commission's materials. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved (6-0).

2. Hearing – Rhonda Lawson v. Mark Myers

Respondent Mark Myers was present at the Commission’s meeting and was represented by Counsel, Casey Hoag. Mr. Myers also submitted a sworn statement regarding the allegations in the complaint in advance of the Commission’s meeting.

At the outset of the hearing, Counsel for the Commission recited the allegations raised in the complaint and summarized the findings of the Office of the Attorney General in its investigative report. Counsel for the Commission also summarized the legal requirements regarding the disclosure of information on the Statement of Interest Disclosure and summarized Counsel’s legal analysis on each allegation for the Commission’s consideration. Counsel for the Respondent then addressed the Commission. Commission members also asked questions of Counsel and Mr. Myers regarding the facts and allegations raised in this case.

After some discussion, Commissioner Stranch moved to dismiss the complaint without taking any action on the allegations raised. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved (6-0).

3. Discussion of Beecher Taylor, Case No. 2021-124

Counsel for the Commission summarized a request received from the Office of the Attorney General to approve the Attorney General’s recommendation that collection of the civil penalties assessed in this matter should not be pursued based on facts learned by the Attorney General’s Office during its initial attempts to pursue collection in this matter. After some discussion, Commissioner Stranch moved to reconsider the assessment of civil penalties and to rescind the civil penalties assessed without taking further action. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved (6-0).

4. Reconsiderations

Redflex Traffic Systems, Inc. – 2022-028: Holly McDaniel appeared before the Commission on behalf of Vera Mobility Inc., which had acquired Redflex Traffic Systems, Inc., regarding this matter. A written statement concerning the request for reconsideration was also submitted in advance of the meeting. Ms. McDaniel made a statement to the Commission and answered questions from the Commission. After some discussion, Commissioner White Moved to reconsider and waive the previously assessed civil penalties in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

5. Informal civil penalty assessment proceedings –Lobbyist

Meghan Kissell – 2022-336: After a short discussion of the facts of this matter, Commissioner Stranch moved to take no action on the failure to timely register as a lobbyist in this matter. Commissioner White seconded the motion, which was unanimously approved.

Robert White – 2022-036: After a short discussion of the facts of this matter, Commissioner White moved to take no action on the failure to timely register as a lobbyist in this matter. Commissioner Stranch seconded the motion, which was unanimously approved.

6. Informal civil penalty assessment proceeding – Employer of Lobbyist

Nomi Health, Inc. – 2022-340, 341, 342, 343: These matters were consolidated and addressed collectively. After a short discussion of the facts of these matters, Commissioner Stranch moved to take no action on the failure to timely pay the employer of a lobbyist registration fee in each of these matters. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

TSLMS – 2022-016, 030: These matters were consolidated and addressed at the same time. After a short discussion of the facts in each matter, Commissioner Stranch moved to take no action on the failure to timely register as an employer of a lobbyist (2022-016). Commissioner Floyd-Thomas seconded the motion, which was unanimously approved. After additional discussion, Commissioner Stranch moved take no action on the failure to timely submit the semi-annual expenditure report (2022-030). Commissioner White seconded the motion, which was unanimously approved.

For All, Inc. – 2022-344: After a short discussion of the facts of this matter, Commissioner White moved to take no action on the failure to timely file a corrected expenditure report in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

B&W Farms, LLC – 2022-345: Jacob Baggett appeared on behalf of B&W Farms, LLC. After a short discussion of the facts of this matter, Commissioner White moved to take no action on the failure to timely file a corrected expenditure report in this matter. Commissioner Stranch seconded the motion, which was unanimously approved.

One-to-One Health – 2022-027: After a short discussion of the facts of this matter, Commissioner White moved to take no action on the failure to timely file a semi-annual expenditure report in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

7. Informal Civil Penalty Assessment Proceeding – State Candidates

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

Basil Marceaux, Sr. – 2022-359

Tillman Payne – 2022-192

James Mike Brewer – 2022-360: Commissioner White moved to take no action in this matter, which was 12 penalty days late. Commissioner Stranch seconded the motion, which was unanimously approved.

Khadija Babb – 2022-333: Commissioner White moved to take no action in this matter, which was 21 penalty days late. Commissioner Richardson seconded the motion, which was unanimously approved.

Steve Finney – 2022-335: This case was deferred. (See preliminary matters.)

8. Informal Civil Penalty Assessment Proceeding – State Officials

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

Danny Goodman, Jr. – 2022-047

Justin C. Angel – 2022-058

Jim Kyle – 2022-075

Gina Carol Higgins – 2022-143: Commissioner White moved to take no action in this matter, which was 125 penalty days late. Commissioner Stranch seconded the motion, which was unanimously approved.

Jennifer Johnson Mitchell – 2022-149: This case was deferred. (See preliminary matters.)

9. Informal Civil Penalty Assessment Proceeding – Local Candidates

Natalie Martin – 2022-228: Ms. Martin was present at the Commission’s meeting and presented a short statement. Commissioner White moved to take no action in this matter. Commissioner Floyd-Thomas seconded the motion, which was unanimously approved.

Sarika Kasaraneni – 2022-355: Ms. Kasaraneni was present at the Commission’s meeting and presented a short statement. Commissioner White moved to take no action in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved.

Devin Driscoll – 2022-283: Mr. Driscoll participated in the Commission’s meeting by telephone and presented a short statement. Commissioner White moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Joseph Locher – 2022-298: Mr. Locher was present at the Commission’s meeting and presented a short statement. Commissioner White moved to take no action in this matter. Commissioner Gilbert seconded the motion, which was unanimously approved.

Daniel A. Isbill – 2022-293: Mr. Isbill was present at the Commission’s meeting and presented a short statement. Commissioner Stranch moved to take no action in this matter. Commissioner White seconded the motion, which was unanimously approved.

Commissioner White moved to take no action on the following matters, which were each less than 7 penalty days late. Commissioner Stranch seconded the motion, which was unanimously approved. (Commissioner Stranch abstains from voting on Case Nos. 2022-254 and 2022-346.)

Steve Anderson – 2022-206	Glenn Stoots – 2022-347
Tracey Bilbrey – 2022-240	William Stovall – 2022-221
Tony Culwell – 2022-252	Tim Tidwell – 2022-261
Reece Dowell – 2022-207	Timmy Jack Barker – 2022-222
Hollis Emmons – 2022-208	Shawn Carter, Sr. – 2022-223
Jerome Fitzgerald – 2022-253	Cynthia Daniel – 2022-224
Phillip D. Grubb – 2022-209	Ray Flasher – 2022-225
Stuart Hohl – 2022-210	Breyauna Holloway – 2022-226
Daniel Horne – 2022-254	Allen Creasy – 2022-262
Mark Madden – 2022-211	Scott Hansert – 2022-227
Angie Mathis – 2022-212	Randall Hopkins – 2022-263
Joe Parrott – 2022-213	Gary Van Talley – 2022-264
Alex Pulley – 2022-255	Trent Wooten – 2022-265
Austin Smith – 2022-256	Ben Connor – 2022-241
Chris Alexander – 2022-214	Bobby Garner – 2022-348
Larkin Clemmer – 2022-215	Jim Pearson – 2022-266
Chuck Evans – 2022-216	Jack Summers – 2022-229
Tony Honeycutt – 2022-217	Mondell Williams – 2022-230
Jamie Lima – 2022-218	Jason Bramlett – 2022-231
Luke McPeak – 2022-259	Misty Davis – 2022-232
Jessica Crowder Means – 2022-346	Jordan Provins – 2022-233
Charlie R. Moore – 2022-219	Jake Siler – 2022-267
Berthena Nabaa-McKinney – 2022-220	Steve Turpin – 2022-234
Loyd Norris – 2022-260	Lee White – 2022-235

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

Joe Carr – 2022-236	Katherine Bike – 2022-242
Cody Hensley – 2022-268	Kevin T. Pomeroy – 2022-238
Jeff Wright – 2022-237	Kenneth Kendrick – 2022-349
Michael Fielder – 2022-269	Ronny Breeden – 2022-27
Wesley Golden – 2022-270	

Commissioner White moved to take no action on the following matters, which were each more than 14 but less than 31 penalty days late. Commissioner Richardson seconded the motion, which was unanimously approved. (Commissioner Richardson abstains from voting in Case No. 2022-353.)

Jerry Kelsey – 2022-243
Aron Maberry – 2022-350
Jimmy Potts – 2022-351
Jeremy Warren – 2022-352

Cody McQueen – 2022-353
Stacy Gibson Sartain – 2022-272
Jawon Lauderdale – 2022-273

Commissioner White moved to take no action on the following matters, which were each more than 30 penalty days late. Commissioner Stranch seconded the motion, which was unanimously approved.

Andy Register – 2022-306
Robert Chester Heathington – 2022-354
Dwain Seaton – 2022-309
Kathy Kirk – 2022-297
Jeffrey Howard – 2022-290
Nivek Rucker – 2022-308
Jacob Martin – 2022-299
Taylor Pierce – 2022-305
Ronald Gerald Summey – 2022-312
Riley Turner – 2022-314
Brian Gallett – 2022-285
Melissa Goddard – 2022-286

Candice Jones – 2022-294
Victoria Murphy – 2022-357
Nicholas Ciparro – 2022-279
Randall Howard – 2022-291
Jessie Overman – 2022-304
Chris Brewington – 2022-278
Thomas Margeson – 2022-356
Michael Young – 2022-319
Jennifer Swaim – 2022-310
Charles Woelm – 2022-318
Shane Bowman – 2022-277
Leah Hood – 2022-289

Jonathan Joy – 2022-295: Commissioner White moved to assess a civil penalty of \$1500 in this matter based upon the failure to file a Statement of Interest Disclosure and Mr. Joy’s prior history of non-filing. Commissioner Stranch seconded the motion, which was unanimously approved.

Reginald Milton – 2022-302: Commissioner White moved to assess a civil penalty of \$1500 in this matter based upon the failure to file a Statement of Interest Disclosure and Mr. Milton’s prior history of non-filing. Commissioner Stranch seconded the motion, which was unanimously approved.

Commissioner Stranch moved to assess a civil penalty of \$1,000 in each of the following matters. Commissioner White seconded the motion, which was approved by a vote of 5-0 with one abstention by Chairman Traughber.

Joe Akins – 2022-274
Jessica Bell – 2022-275
Alexander Boulton – 2022-276
Jeff Clark – 2022-280
Pat Daughtry – 2022-281

Nathaniel Doss – 2022-282
Sam Echols – 2022-284
Jon Holland – 2022-288
Ethan Howell – 2022-292
Jeff Joines – 2022-296

John Miller – 2022--301
Robert Mullicane – 2022-303
Sadie Roberts – 2022-307
Stacy Swallows – 2022-311

Britney Thornton – 2022-313
David Phillip Walker – 2022-315
Michael Walker – 2022-316

Timothy Wirgau – 2022-317: Director Young requested that this matter be deferred until the Commission’s next regularly scheduled meeting. Commissioner White moved to defer this matter as requested. Commissioner Stranch seconded the motion, which was unanimously approved.

10. Informal Civil Penalty Assessment Proceeding – Local Officials

Amy Goodin – 2022-064: Ms. Goodin was present at the Commission’s meeting and presented a short statement. Commissioner Gilbert moved to take no action in this matter. Commissioner Richardson seconded the motion, which was unanimously approved.

Joshua Trammell – 2022-205: Mr. Trammell was present at the Commission’s meeting and presented a short statement. Commissioner White moved to take no action in this matter. Chairman Traugher seconded the motion, which was unanimously approved.

Skylar Tackett – 2022-179: Ms. Tackett was present at the Commission’s meeting and presented a short statement. Commissioner Stranch moved to take no action in this matter. Commissioner White seconded the motion, which was unanimously approved.

Commissioner Stranch moved to take no action in the following matters, which were each less than 7 penalty days late. In each of these cases, the Respondent had no prior history of non-compliance. Commissioner White seconded the motion, which was unanimously approved. (Commissioner Stranch abstains from voting on Case Nos. 2022-066, 2022-069 and 2022-071.)

Jeff Adams – 2022-044
William Matthew Cox – 2022-045
Robert Griffith – 2022-048
Isiah Hester – 2022-049
Wade Hill – 2022-050
Terry Jones – 2022-051
Melissa Klutts – 2022-052
Mathieu Poag – 2022-054
Stan Rush – 2022-055
Darren Shanks – 2022-056
Marcus Adkisson – 2022-057
Andrew Delano Benefield – 2022-059
Louis Brink – 2022-060
Stephanie Churchwell – 2022-061
Eric Egbert – 2022-062
Donna Fletcher – 2022-063

Terry Harkleroad – 2022-066
Chris Hughes – 2022-068
Michelle Karl – 2022-244
Brett Mayes – 2022-069
Jerry Shirk – 2022-070
Eugene T. Stamey, Jr. – 2022-071
George Floyd – 2022-074
Admiral Webster – 2022-320
Tara Houston – 2022-076
William Van Den Bosch – 2022-077
Charles Burnette – 2022-078
James Hatcher – 2022-079
Jerry Rhoton – 2022-080
Marilyn Stephens – 2022-081
Lonnie Taylor – 2022-082
Mike Wright – 2022-083

Richard Black – 2022-084
Wade Smith, Jr. – 2022-086

Greg Fox – 2022-087
Bill Hooten – 2022-088

After some discussion, Commissioner Stranch moved to take no action in the following matters, which were each less than 7 penalty days late. In each of these cases, the Respondent had a prior history of non-compliance. Commissioner White seconded the motion, which was unanimously approved. (Commissioner Stranch abstains from voting on Case No. 2022-069.)

Ralph Eslinger – 2022-046
Bruce Manley – 2022-053
Mark A. Williams – 2022-257
Brian Cook – 2022-085

Stephanie Grimm – 2022-065
Tony Hawn – 2022-067
Jerry Choate – 2022-073
Douglas Chapman – 2022-072

After additional discussion, Commissioner Stranch moved to assess a civil penalty of \$50 in the following matters, which were each more than 7 but less than 15 days late. Commissioner Richardson seconded the motion, which was unanimously approved. (Commissioner Stranch abstains from voting on Case No. 2022-094.)

Lee Booker – 2022-089
Bruce Heidelberg – 2022-090
Thomas Dillard – 2022-091
Mandy Young – 2022-092
Dennis Sheffield – 2022-093
John S. Burrell – 2022-094
Donnie Essary – 2022-095
James Hack – 2022-248

Nathan Hardiman – 2022-097
William Bonjour – 2022-098
Rhonda Logan – 2022-099
John Myers – 2022-100
Misty Webb – 2022-101
Billy Harkins – 2022-102
James C. Cochran – 2022-104

Commissioner Stranch moved to take no action in each of the following matters, which were each more than 14 but less than 31 civil penalty days late. In each of these cases, the Respondent submitted a statement to the Commission regarding the late filing. Commissioner White seconded the motion, which was unanimously approved.

Gene Stevens – 2022-193
Fred Ellis – 2022-107
Donna Goad – 2022-108
John Hatler – 2022-194

Bubba Carter – 2022-103
Ronnie Keener – 2022-110
Gwen McKenzie – 2022-247

Commissioner Stranch moved to assess a civil penalty of \$75 in each of the following matters, which were each more than 14 but less than 31 civil penalty days late. Commissioner White seconded the motion, which was unanimously approved.

Michael Miller – 2022-105
Jason Snell – 2022-106
Nick Hays – 2022-239

Eric Lee Rogers – 2022-109
William Barr – 2022-195
Terry Spearman – 2022-196

Johnathan Demps – 2022-197

Greg Fowler – 2022-198

Commissioner Stranch moved to take no action in each of the following matters, which were each more than 30 civil penalty days late. In each of these cases, the Respondent submitted a statement to the Commission regarding the late filing. Commissioner Richardson seconded the motion, which was unanimously approved. (Commissioner Richardson abstains from voting on Case No. 2022-113.)

Chris Bivins – 2022-112

Robin McKamey – 2022-113

Blair Myers – 2022-115

Donna Butler – 2022-123

Allison Plattsmier – 2022-321

Lawrence “Larry” D. Turley – 2022-182

Kelly White Tucker – 2022-251

Johnny Baker – 2022-117

Stephanie McCaleb – 2022-156

Tabitha Swearingen – 2022-178

Helen Stapleton – 2022-173

Mary Ann Carter-Hodge – 2022-126

Edwin Keith Hollingsworth – 2022-144

Mintie Willson – 2022-190

Jonathan Williamson – 2022-189

Mark Dobbs – 2022-130

Jason Stiltner – 2022-174

Robby Hatcher – 2022-140

Shannon Minchey – 2022-158

Phil Porter – 2022-162

Justin Davis – 2022-129

Lori Mayberry – 2022-155

Aaron L. Story – 2022-175

Commissioner Richardson moved to assess a civil penalty of \$100 in each of the following matters, which were each more than 30 civil penalty days late. Commissioner White seconded the motion, which was unanimously approved.

Jason Pankey – 2022-111

Willie Jay Parker – 2022-114

Bobby Perry – 2022-203

Michael Rich – 2022-164

Scott Fruehauf – 2022-096

Jennifer Hurst – 2022-147

Richmond Smith – 2022-172

Darby Patrick – 2022—160

Thomas Chad Taylor – 2022-180

Jason Parnell – 2022-159

Jeff Lovingood – 2022-153

Kay Johnson Scholler – 2022-166

After some discussion regarding the past history of the listed respondents who had not yet filed a statement of interest and noting that some of these respondents had repeatedly not filed the required statement of interest, Commissioner Stranch moved to assess a civil penalty of \$1,000 in each of the following matters. Commissioner White seconded the motion, which was unanimously approved (Commissioners Richardson and Stranch recused on Case No. 2022-121, Commissioner Richardson recused on Case No. 2022-165).

Teresa R. Beecham – 2022-358

James Benau – 2022-119

Steven Mark Blevins – 2022-121

Jennifer Garland – 2022-135

Jesse Gibson – 2022-136

George Hampton – 2022-137

Matt Harvey – 2022-139

Steve Hughes – 2022-145

Barbara Johnson – 2022-201

Michelle Kientz – 2022-146

Scottie Kizer – 2022-152
Tanea McClean – 2022-157
Daveisha Moore – 2022-250
Bryan Ritcher – 2022-204
Bryan Russell – 2022-165
Karen Schwann – 2022-322
Freddie C. Seavers, III – 2022-167

Gerald Sensabaugh – 2022-168
Angela Summers – 2022-176
Sha'Te Toliver – 2022-181
Rodney Fred Underwood – 2022-183
Kirt Wade – 2022-184
Gay Webb – 2022-187

Commissioner Stranch moved to assess a civil penalty of \$1,500 in each of the following matters. Commissioner Richardson seconded the motion, which was unanimously approved (Commissioner Richardson recused on Case No. 2022-185).

Scottie Betts – 2022-120
Allen Collins – 2022-199
Sid Crocker – 2022-127
Josh Eatherly – 2022-131
Will Jackson – 2022-148
Julian Jones-Coleman – 2022-150

Jonathan Joy – 2022-151
William Murray – 2022-202
Jimmy Simmons – 2022-169
Jerry Simons – 2022-170
Layla Ward – 2022-185
Tamika White – 2022-188

Commissioner Stranch moved to assess a civil penalty of \$2,000 in each of the following matters. Commissioner White seconded the motion, which was unanimously approved.

Kate Baldrige – 2022-118
Rachel Campbell – 2022-125

Jerry Ford – 2022-133

Commissioner Stranch moved to assess a civil penalty of \$10,000 in each of the following matters. Commissioner Richardson seconded the motion, which was unanimously approved.

Greg Brooks – 2022-122
H. Hensley – 2022-141

Patrick Maynard – 2022-249

Michelle Scopel – 2022-245: This matter was dismissed, as it was determined by Staff that a show cause notice had been issued in error. No disclosure was required. No action was taken.

11. Lobbyist Audits (2021)

After a short discussion of these audits from Director of Audit Jay Moeck, the Commission voted unanimously to accept and approve these audits and to take no further action regarding these audits.

Sandy Ahn
Gabby Bruno
Sara Bunch
Scott Alan Buss
Steven Buttry
Clayton Byrd

Brian McDonald
Rick Musacchio
Robert Pace
James Palmer
Sam Reed
David Reiner

Charles Cagle
Sarah Cooper
Maggi Duncan
Melodia Gutierrez
M. Clint Hall
Dan Haskell
Steven Kester

Lisa Sherman-Nikolaus
Alan Sparkman
Ausbon Starling
Josh Thomas
Duple Travillion
David VanderWoude

12. Set date of Ethics Commission's next meeting. The Members of the Commission determined that the Commission's next meeting will be held on January 24, 2023 at 9:00 AM. Additional details on the location of the meeting will be announced by the Commission when confirmed.

13. Other Business.

At this time, the Commission moved into Executive Session to address confidential matters.