

**TENNESSEE ETHICS COMMISSION**  
**Public Meeting Minutes**  
**July 30, 2020**

The Tennessee Ethics Commission met Thursday, July 30, 2020 for its regularly scheduled meeting. The meeting began at 9:00 AM and was held at the Hilton Franklin Cool Springs Meridian Room A, 631 Corporate Centre Drive, Franklin, Tennessee, 37067.

Presiding over the meeting was Charles Traugher. Attending the meeting were Board Members Jim Stranch, Tammy White (via telephone), and Duane Gilbert. Board Members Frank Watson and Bob Patton were unable to attend the meeting. The meeting was conducted in accordance with Executive Orders 16 and 51.

***Preliminary Matters***

Prior to the commencement of the agenda, Bureau of Ethics and Campaign Finance Executive Director Bill Young addressed several issues.

First, Director Young introduced and welcomed the newest member of the Commission, Duane Gilbert.

Second, Director Young confirmed that a quorum of members existed and discussed Executive Orders 16 and 51, which allows state governing bodies to conduct official business by electronic means in an effort to promote the containment of the COVID-19 pandemic while also promoting public involvement in open meetings. Director Young confirmed that Member White was participating in the meeting electronically (via telephone), that several members of the public were also participating electronically (via telephone), that the meeting was being recorded by means of both an audio recording and a court reporter, and that social distancing and mask measures were being observed by those in physical attendance for the meeting.

Third, Director Young introduced to the members the newest members of the Bureau's staff, Assistant Director Lance Frizzell and General Counsel Lauren Topping.

Fourth, Director Young requested deferral of the following three matters on the meeting agenda due to concerns over effective service of notice:

Leo Awgowhat, Case No. 2020-042

Scott Davis, Case No. 2020-025

Faye Sanders, Case No. 2020-018

Member Stranch moved to defer these matters as recommended and this motion was seconded by Member Gilbert. The motion was unanimously approved by voice vote.

Fifth, Director Young discussed procedures for managing and reporting requests and responses for Informal Ethics Opinions in compliance with T.C.A. § 3-6-117.

Sixth, Director Young discussed notice procedures for filings regulated by the Commission. He suggested simplifying the process of providing notice; however, after some discussion, he recommended the matter be deferred for future consideration at a subsequent date. The Board Members unanimously concurred with this recommendation.

Lastly, Director Young discussed procedures for addressing ethical complaints relative to local officials. He recommended that all complaints received by the Ethics Commission relative to local officials, after being reviewed by the Ethics Commission, should be referred to the local official designated by local governing authorities to address these complaints at the local level. The Board members unanimously concurred with this recommendation.

### *Agenda*

1. **Appointment of Chairperson.** Member Stranch nominated Member Charles Traugher to continue to serve as Chair of the Commission. The motion was seconded by Member White and unanimously approved by voice vote. The members then discussed the possibility of electing a Vice-Chair; however, the Commission determined that further discussion of this matter should be deferred until more members of the Commission were in attendance. This recommendation was approved by voice vote.
2. **Approval of Minutes.** Member White moved to approve the minutes of the April 24, 2019 meeting. The motion was seconded by Member Stranch and approved by voice vote.
3. **Hearing, Case No. C2018-008 In re Dilks v. Napier.** Both Mr. Dilks (Complainant) and Mr. Napier (Respondent) participated in this hearing.

Mr. Dilks presented his complaint to the Commission and offered argument to the Commission. Mr. Dilks alleged that Mr. Napier had included incorrect information on his Statement of Interests Disclosure (2017) and failed to update the information contained within his Statement of Interest Disclosure (2018) when his circumstances changed. Mr. Dilks further alleges that Mr. Napier inappropriately mixed his personal and public business dealings while failing to appropriately disclose his income on the required Statement of Interest while serving as Mayor of Thompson Station.

Mr. Napier answered questions from the Commission concerning the allegations. Member Stranch then moved to move the matter to the heel of the agenda to allow Mayor Napier to obtain and read the Attorney General's Investigative Report so that he could respond to the Commission's questions. The motion was approved unanimously.

This matter resumed at approximately 11:29 A.M. Mayor Napier gave a statement concerning the allegations and the members discussed the merits of the complaint. Mayor Napier was able to confirm that he had read the Attorney General's report and did not dispute the factual findings of the report.

Commission Members determined that no action should be taken concerning the incorrect disclosures because the issues had been corrected and found that the Commission had no jurisdiction to address the other claims and allegations raised by Mr. Dilks. Member Stranch moved to dismiss the complaint. The motion was seconded by Chair Traugber. The motion was unanimously approved.

Member Stranch moved to take the matters before the Commission out of order to address those matters with individuals present at the meeting first. The motion was approved unanimously; however, these minutes will reflect the proceedings as scheduled within the published public agenda.

4. **Reconsiderations.**

**Rocky Dalton, Case No. 2019-036:** Member White moved to reconsider and waive the previously assessed penalty. The motion was seconded by Member Stranch and unanimously approved.

**Adrian Jones, Case No. 2016-007:** Member Stranch moved to reconsider and waive the previously assessed civil penalty. The motion was seconded by Member White and unanimously approved.

5. **Informal Civil Penalty Assessment Proceedings – Local Candidates.**

**Finis Luther Daily, Case No. 2020-001:** Mr. Daily presented a statement on his behalf. Member Stranch moved to dismiss the penalty and take no further action. This motion was seconded by Member Gilbert and approved unanimously.

**Myron Lowery, Case No. 2020-011:** Mr. Lowery presented a statement on his behalf. Member Stranch moved to dismiss the penalty and take no further action. The motion was seconded by Member Gilbert and approved unanimously.

Member Stranch moved to dismiss the following matters and take no further action:

Michael Finney, Case No. 2020-047  
DeAngelo Pegues, Case No. 2020-002  
Andre Southall, Case No. 2020-003  
Stephen A. Downs, Case No. 2020-004  
Hubert "Frazier" Smith, Case No. 2020-005

The motion was seconded by Member Gilbert and approved unanimously.

**Doug Woods, Case No. 2020-056:** Chairman Traughber moved to dismiss the penalty and take no further action. The motion was seconded by Member Gilbert and approved unanimously.

**Tamika White, Case No. 2020-086:** Member White moved to assess a civil penalty of \$100. The motion seconded by Member Gilbert and unanimously approved.

**Paul Brown, Case No. 2020-008:** Member Stranch moved to dismiss the penalty and take no further action. The motion was seconded by Member White and unanimously approved.

**Roderic Ford, Case No. 2020-009:** Member Stranch moved to assess a civil penalty of \$100. The motion was seconded by Member Gilbert and unanimously approved.

**Jerred Price, Case No. 2020-044:** Member Stranch moved to assess a civil penalty of \$100. The motion seconded by Member Gilbert and unanimously approved.

**Barry Barlow, Case No. 2020-007:** Member Stranch moved to assess a civil penalty of \$100. The motion seconded by Chairman Traughber and unanimously approved.

**Pamela Murray, Case No. 2020-014:** Member Stranch moved to assess a civil penalty of \$100. The motion seconded by Chairman Traughber and unanimously approved.

**Sandra Sepulveda, Case No. 2020-015:** Member Stranch moved to assess a civil penalty of \$100. The motion was seconded by Member Gilbert and unanimously approved.

**Michael Andrews, Case No. 2020-006:** Chairman Traughber moved to assess a civil penalty of \$1000. The motion was seconded by Member Stranch and unanimously approved. Upon further consideration and discussion, Member Stranch moved to reconsider the assessed civil penalty and assess a reduced civil penalty of \$100. The motion was seconded by Member Gilbert and unanimously approved.

**Paul Boyd, Case No. 2020-085:** Member Stranch moved to assess a civil penalty of \$1000. The motion was seconded by Chairman Traughber and unanimously approved.

**Toni Green-Cole, Case No. 2020-041:** Member Stranch moved to assess a civil penalty of \$50. The motion was seconded by Member Gilbert and unanimously approved.

**David Hayes, Case No. 2020-010:** Member Stranch moved to assess a civil penalty of \$1000. The motion was seconded by Member Gilbert and unanimously approved.

**Carl Irons, Case No. 2020-043:** Member Stranch moved to assess a civil penalty of \$1000. The motion was seconded by Member Gilbert and unanimously approved.

**Danny Lee McDonald, Case No. 2020-012:** Member Stranch moved to assess a civil penalty of \$1000. The motion was seconded by Member Gilbert and unanimously approved.

**David McMurry, Case No. 2020-013:** Member Stranch moved to assess a civil penalty of \$1000. The motion was seconded by Member Gilbert and unanimously approved.

**Larry Springfield, Case No. 2020-046:** Member Stranch moved to assess a civil penalty of \$1000. The motion seconded by Member Gilbert and unanimously approved.

**David Phillip Walker, Case No. 2020-045:** Member Stranch moved to assess a civil penalty of \$1000. The motion seconded by Member Gilbert and unanimously approved.

6. **Informal Civil Penalty Assessment Proceedings – Local Officials.**

**Pam Moore-Morrow, Case No. 2020-080:** Ms. Moore-Morrow presented a statement on her behalf. Member Stranch moved to dismiss the penalty and take no further action. The motion was seconded by Member Gilbert and approved unanimously.

**Steve Allbrooks, Case No. 2020-072:** Mr. Allbrooks presented a statement on his behalf. Member Stranch moved to dismiss the penalty and take no further action. The motion was seconded by Member Gilbert and approved unanimously.

Member Stranch moved to dismiss the civil penalties and take no further action for the following matters:

Fina Azbill, Case No. 2020-016  
Robert Bailey, Case No. 2020-048  
Shannon Bartz, Case No. 2020-098  
Scottie Betts, Case No. 2020-062  
Darlene Brannon, Case No. 2020-049  
Roy Terry Broyles, Case No. 2020-050  
Ronnie Dillard, Case No. 2020-082  
Jerry Ford, Case No. 2020-052  
Melissa Keith, Case No. 2020-087  
Leroy Morris, Case No. 2020-063  
Brian Standifer, Case No. 2020-051  
Beth Longmire, Case No. 2020-017  
Jason Weaver, Case No. 2020-057

James R. White, Case No. 2020-058  
Darren Wilson, Case No. 2020-059  
Kenneth Adkins, Case No. 2020-064  
Baley F. Allred, IV, Case No. 2020-053  
Scott Gregory Gaynor, Case No. 2020-065  
David W. Gilpin, Case No. 2020-066  
Kristin Girton, Case No. 2020-088  
Michael Nelson, Case No. 2020-061  
Charles “Goat” Baird, Case No. 2020-067  
Tara Crosby, Case No. 2020-068  
Tim Johns, Case No. 2020-069  
Robert Kelly, Case No. 2020-070  
Travis Landrum, Case No. 2020-089  
Randy Roberts, Case No. 2020-095  
David Settles, Case No. 2020-054  
Kyle Shute, Case No. 2020-060  
Michael Taylor, Case No. 2020-055  
David Veridal, Case No. 2020-071  
Dennis Brennan, Case No. 2020-073  
Angela Darlene Callis, Case No. 2020-074  
Earl Lee Garvin, Case No. 2020-096  
Walter Goode, Case No. 2020-075  
Rebecca Griffey, 2020-74  
Donald Haston, Case No. 2020-076  
Brandon Lee Odle, Case No. 2020-077  
Sue Springfield, Case No. 2020-078  
Darrell Smith, Case No. 2020-079

The motion was seconded by Member Gilbert and unanimously approved.

Member Stranch moved to assess a civil penalty of \$25 in the following matters:

Barry Barlow, Case No. 2020-081  
Robert Allen Kirk, Case No. 2020-083  
Casey Gilliam, Case No. 2020-084  
Scott C. Whaley, Case No. 2020-091  
Lee Booker, Case No. 2020-092  
Tim Casteel, Case No. 2020-093  
James K. Bledsoe, Case No. 2020-104  
Ronnie Lasley, Case No. 2020-105

As a component of the motion, Member Stranch also moved to take no action and dismiss the following matters:

Tommy Dudley, Case No. 2020-090  
Jason Day, Case No. 2020-094

The motion was seconded by Member Gilbert and approved unanimously.

**David Perryman, Case No. 2020-019:** Member Stranch moved to dismiss the civil penalty and take no action. The motion was seconded by Member White and approved unanimously.

Member Stranch moved to assess a civil penalty of \$100 in the following matters:

Malcolm Leon Locke, Case No. 2020-031  
Shannon Bartz, Case No. 2020-021  
Chris Speck, Case No. 2020-035  
Joshua Roman, Case No. 2020-033

The motion was seconded by Member White and unanimously approved.

**Shante Avant, Case No. 2020-020:** Member Stranch moved to dismiss the civil penalty and take no action. The motion was seconded by Chairman Traughber and unanimously approved.

**Alana Hibbler, Case No. 2020-027:** Member White moved to dismiss the civil penalty and take no action. The motion was seconded by Member Stranch and unanimously approved.

Member White moved to assess a civil penalty of \$1000 in the following matters:

Robert Braswell, Case No. 022  
Ervin D. (Delbert) Brown, Case No. 2020-023  
Christopher Jones, Case No. 2020-028  
Billy King, Case No. 2020-029  
Patrick Pebley, Case No. 2020-032  
Linda Smith, Case No. 2020-034  
Joe Whitaker, Case No. 2020-036  
Isaac Zimmerle, Case No. 2020-037

The motion was seconded by Member Stranch and unanimously approved.

7. **Informal civil penalty assessment proceedings – Employers of Lobbyists.**

**IGT and Its Affiliates, Case No. 2020-100:** Member White moved to dismiss the civil penalty and take no action. The motion was seconded by Member Stranch and unanimously approved.

**Martin Daniel, State Representative, Case No. 2020-101:** Chairman Traughber moved to dismiss the civil penalty and take no action. The motion was seconded by Member Stranch and unanimously approved.

**Status Solutions, Case No. 2020-102:** Member White moved to dismiss the civil penalty and take no further action. The motion was seconded by Chairman Traughber and unanimously approved.

**Status Solutions, Case No. 2020-103:** Member White moved to dismiss the civil penalty and take no further action. The motion was seconded by Chairman Traughber and unanimously approved.

**Kirby McInerny LLP, Case No. 2020-038:** Member White moved to dismiss the civil penalty and take no further action. The motion was seconded by Chairman Traughber and unanimously approved.

**Leading Age Tennessee, Case No. 2020-099:** Member Stranch moved to dismiss the civil penalty and take no further action. The motion was seconded by Member White and unanimously approved.

**Tennessee Recovery & Monitoring, Case No. 2020-040:** Member Stranch moved to assess a civil penalty of \$25. The motion was seconded by Member Gilbert and unanimously approved.

**Crossroads Treatment Centers, Case No. 2020-039:** Member White moved to assess a civil penalty of \$750. The motion was seconded by Member Stranch and unanimously approved.

**8. Rescind Civil Penalty Orders.**

**Tony Stepp (Phifer)(Young), Case No. 2016-082:** Member White moved to waive the previously assessed civil penalty. The motion was seconded by Chairman Traughber and approved unanimously.

**Jennifer Powers, Case No. 2019-052:** Member Stranch moved to defer this matter to the next meeting of the Commission and to instruct staff to notify Ms. Powers that she needs to file the required Statement of Interest as a candidate for office. The motion was seconded by Chairman Traughber and unanimously approved.



**9. Other Business.**

*Setting of the next meeting.* Chairman Traughber requested that staff set the next meeting when circumstances are such that it is safe and expedient to do so with the expectation that hopefully a meeting could be held near the end of the year or the first of next year.

Following the conclusion of the public meeting, the Tennessee Ethic Meeting transitioned to a confidential meeting.

**TENNESSEE ETHICS COMMISSION**  
**Confidential Meeting Minutes**  
**July 30, 2020**

The Tennessee Ethics Commission met Thursday, July 30, 2020 for its regularly scheduled meeting. The meeting began at 9:00 AM and was held at the Hilton Franklin Cool Springs Meridian Room A, 631 Corporate Centre Drive, Franklin, Tennessee, 37067. The confidential portion of the meeting began after the conclusion of the public part of the Commission's meeting.

Presiding over the meeting was Charles Traugher. Attending the meeting were board members Jim Stranch, Tammy White (via telephone), and Duane Gilbert. Board members Frank Watson and Bob Patton were unable to attend the meeting. The meeting was held and conducted pursuant to Executive Orders 16 and 51, for the reasons discussed by Executive Director Young at the beginning of the Commission's public meeting as reflected in the minutes of that meeting.

**Approval of minutes of April 24, 2019 confidential meeting.**

Member White moved to approve the minutes of the April 24, 2019 Confidential Meeting. The motion was seconded by Member Stranch and unanimously approved.

**Probable Cause Determination Hearings.**

**C2018-004: Emily Olds v. Sam B. Rainwaters**

Present at the hearing were Attorney Sean Johnson and Respondent Sam Rainwaters. Complainant Emily Olds was not present and did not participate electronically. Complainant alleges possible violation(s) of the Statement of Interests statute.

Attorney Johnson was permitted to present a statement to the Commission and answered questions from the members.

At the close of the discussion of the complaint, Member White moved to dismiss the complaint. The motion was seconded by Member Gilbert and unanimously approved.

**C2019-002: Elizabeth Hart v. National Association of Charter School Authorizers**

Complainant Elizabeth Hart participated in the hearing telephonically. A representative for the Respondent was not present and did not participate. Complainant alleges violation(s) of T.C.A. § 2-10-125.

Ms. Hart was permitted to present at statement to the Commission and answered questions from the members.

After discussion of the complaint and the Attorney General's factual investigative report, Chairman Traughber continued the matter for further consideration and further investigation by the Attorney General's Office in coordination with Ms. Hart. Chairman Traughbar directed the Executive Director to prepare and submit further questions regarding this matter for review and response by the Attorney General. The Chairman stated both he and Ms. Hart would present draft questions to the Executive Director that he should consider in preparing his questions for the Attorney General.

**C2019-004: Rebecca R. Bowman v. Stanley Moore and Ben Gann**

Chairman Traughber moved to dismiss the complaint for lack of jurisdiction and to refer the matter to the proper local authorities for consideration. The motion was seconded by Member White and unanimously approved.

**C2019-006: Amanda Phillips, Casandra Dowdy, Brandon McGill, Jack Crites and Latteria Thomas v. Fran Bush**

After an initial discussion of the facts presented in the complaint(s), Member Stranch moved to defer the matter to a later date and to request further comment from Respondent Fran Bush. The motion was seconded by Member Gilbert and unanimously approved.

**C2019-007: Pamela Moses v. Linda Phillips, Anthony Tate and Tamara Sawyer**

Chairman Traughber moved to dismiss the complaint for lack of jurisdiction and to refer the matter to the proper local authorities for consideration. The motion was seconded by Member White and unanimously approved.

**C2019-008: Chace Kesterson v. David Bell and Trevor Bonnstetter**

Chairman Traughber moved to dismiss the complaint for lack of jurisdiction and to refer the matter to the proper local authorities for consideration. The motion was seconded by Member White and unanimously approved.

**C2019-009: Chace Kesterson v. Gwin Anderson and Jeff Washburn**

Chairman Traughber moved to dismiss the complaint for lack of jurisdiction and to refer the matter to the proper local authorities for consideration. The motion was seconded by Member White and unanimously approved.

**C2020-001: Gabrielle Ayers v. Ben Danner**

Chairman Traugher moved to dismiss the complaint for lack of jurisdiction and to refer the matter to the proper local authorities for consideration. The motion was seconded by Member White and unanimously approved.

Following the conclusion of the matters set on the Commission's agenda, Member White moved to adjourn. The motion was seconded by Chairman Traugher and unanimously approved. The meeting was adjourned.