

**NOVEMBER 4, 2021 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 10:00 AM on Thursday, November 4, 2021 at the W.R. Snodgrass Tower, 312 Rosa L. Parks Ave., Nashville, in the Nashville Room of the 3rd Floor Conference Center.

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

Member Golden confirmed that a physical quorum of the members was present at the meeting.

Approval of Meeting Minutes

On motion by Member Lawless, seconded by Member Morton, the Board voted unanimously to approve and adopt the minutes from the September 16, 2021 meeting without discussion.

Member Lawless moved to allow Mr. Fincher to participate in the meeting by telephone when he becomes available. The motion was seconded by Member Burcham Dennis and unanimously approved by voice vote. Ultimately, Mr. Fincher was unable to join the meeting.

Member Lawless moved to take the agenda out of order, if necessary. Member Morton seconded the motion, which was unanimously approved by voice vote. *(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.)*

Discussion of How to Proceed on Initial Order entered in Durham PAC, Case No. 17-63

Director Young summarized the history of this matter and the current procedural posture of the case. Director Young recommended that the board accept the ALJ’s determinative findings and the total assessment of a civil penalty of \$1,100 and adopt the draft final

order as presented to the members for their consideration. The members then discussed the Board's procedures and the factors for consideration in assessing civil penalties in the context of this case. After this discussion, Member Burcham-Dennis moved to adopt the draft final order as presented, accepting the ALJ's determinative findings and adopting the total \$1,100 assessment of civil penalties in this matter. Member Lawless seconded the motion, which was unanimously approved by roll call vote.

Update of Mary Pruitt campaign account

Counsel Topping presented an update on the status of former Representative Mary Pruitt's campaign filing account. In accordance with the Board's direction at the Board's last meeting, Registry staff has confirmed that the unexpended funds available in the campaign bank account have been disbursed according to statute and the filing account has been closed. No further action on this matter was required.

Sworn Complaint

Jonathan Hall, Case No. C21-04. Director Young provided a summary of the history of this matter and recommended that the Registry accept the Nashville Metro District Attorney's investigative report and set this matter for a show cause hearing on the basis of both the sworn complaint submitted to the Nashville Metro District Attorney's Office and the investigative report. After discussion, Member Burcham-Dennis moved to accept the investigative report and set this matter for show cause hearing. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Following discussion of the sworn complaint, Member Lawless requested to discuss the issue of swearing in witnesses making statements before the Registry in its meetings. Member Lawless requested that the Board re-establish a procedure for swearing-in witnesses during hearings, with the goal of being able to take appropriate action if any party provides demonstrably false information to the Board. After discussion, the Board requested that Counsel review this matter and present a memorandum and/or proposal to the Registry at its next meeting.

Review of Audits

Deanna Debow Osborne: Member Morton moved to accept and approve the audit report as presented. Member Lawless seconded the motion, which was unanimously approved by roll call vote. After discussion, Member Lawless moved to take no action on the audit report's findings. Member Haynes seconded the motion, which was unanimously approved by roll call vote.

Representative Todd Warner, Case No. 20-06: Member Morton moved to accept and approve the audit report as presented. Member Lawless seconded the motion, which was unanimously approved by roll call vote. After discussion, Member Lawless moved to take no action on the audit report findings. Member Morton seconded the motion, which was unanimously approved by roll call vote. After a short break, Member Lawless moved to take no further action on the complaint submitted in this matter (Case No. 20-06). The motion was seconded and unanimously approved by voice vote.

Faith Family Freedom Fund, Case No. 20-07: Member Morton moved to accept and approve the audit report as presented. Member Lawless seconded the motion, which was unanimously approved by roll call vote. After discussion, Member Lawless moved to issue a show cause notice and set this matter for hearing. Member Haynes then moved to amend the motion to also enable the Registry to issue subpoenas to the PAC's treasurer and any other parties as appropriate and necessary. The amended motion was seconded by Member Burcham-Dennis. After further discussion, the question was called and the motion, as amended, was unanimously approved by roll call vote.

Show Cause Hearings

Sheila Younglove-Miner, Case No. 21-53: Director Young summarized the facts of this case. Member Morton moved to assess a civil penalty of \$1000. Member Lawless seconded the motion. After discussion, Member Burcham Dennis moved to amend the motion to assess a civil penalty of \$500. The amendment was accepted and seconded by Member Morton. The motion was approved by unanimous roll call vote.

Southern Glazers Wine & Spirits of Tennessee PAC, Case No. 21-58: Director Young summarized the facts of this case. Gerald McCormick appeared on behalf of the PAC and provided a short statement. After discussion, Member Lawless moved to assess a civil penalty of \$250. Member Burcham-Dennis seconded the motion, which was unanimously approved by roll call vote.

Reconsiderations

Katrina Robinson, Case NO. 21-19: Director Young summarized the facts of this case. After discussion, Member Haynes moved to reconsider the previous assessment. The Chair seconded the motion, which failed in a roll call vote with Members Morton and Lawless opposed. After additional discussion, no further action was taken. The request for reconsideration is denied.

Marion LaTroy A. Williams, Jr., Case Nos. 20-63, 20-64, and 20-65: Director Young and Ms. Williams summarized the facts of these matters and the related matter of Case No. 21-24. Ms. Williams confirmed that Respondent had filed his 3rd Quarter CFD report and that his filing account had been closed as of the 3rd Quarter. Member Lawless moved to rescind the civil penalty previously assessed in Case No. 21-24 relative to the untimely filing of the 4th Quarter CFD report. Member Morton seconded the motion, which was unanimously approved by roll call vote. After further discussion, Member Haynes moved to reconsider all three matters in Case Nos. 20-63, 20-64, and 20-65. Member Morton seconded the motion for reconsideration, which was unanimously approved by roll call vote. After further discussion, Member Morton moved to assess civil penalties of \$150 in each of these three cases (\$450 total). Member Lawless seconded the motion, which was unanimously approved by roll call vote.

Statements Submitted

Jessica Ashli Shockley, Case No. 21-35: Director Young summarized the facts of this case. Member Lawless moved to assess a civil penalty of \$250. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Memphis PACE, Case No. 21-55: Director Young summarized the facts of this case. Chairman Golden moved to take no action in this matter. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Rural/Metro Employee PAC, Case No. 21-57: Director Young summarized the facts of this case. Member Morton moved to assess a civil penalty of \$2000. Member Lawless seconded the motion. After discussion, Member Haynes moved to amend the motion to assess a civil penalty of \$250. Member Lawless seconded the motion, which was unanimously approved by roll call vote.

Tyson Foods, Inc., Case No. 21-60: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion. After discussion, Member Haynes moved to amend the motion to assess civil penalties of \$7500. The motion was seconded and unanimously approved by roll call vote.

Consideration of Civil Penalty Orders

Julie Byrd Ashworth, Case No. 21-41: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Sam Brown, Case No. 21-42: Member Haynes disclosed a possible conflict of interest and stated that he would abstain from the discussion and any vote relating to this matter. Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton moved to defer the matter to the Registry's next meeting. This motion failed for lack of a second. Member Morton then seconded Member Lawless' earlier motion to assess penalties. After discussion, the motion was approved by a roll call vote (4-0) with Member Haynes abstaining.

Adrienne Dailey-Evans, Case No. 21-43: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

David Hayes, Case No. 21-32: Member Haynes disclosed a possible conflict of interest and stated that he would abstain from the discussion and any vote relating to this matter. Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was approved by roll call vote (4-0) with Member Haynes abstaining.

Ovi Kabir, Case No. 21-33: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Burcham Dennis seconded the motion, which was unanimously approved by roll call vote.

Mike McMillan, Case No. 21-34: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Roderick Motley, Case No. 21-46: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Anya Parker, Case No. 21-47: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Katrina Robinson, Case No. 21-48: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Kristy Sullivan, Case No. 21-50: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Brandon Weise, Case No. 21-51: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Lynnette P. Williams, Case No. 21-52: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

D&S Political Action Committee, Inc., Case No. 21-54: Member Haynes disclosed a possible conflict of interest and stated that he would abstain from the discussion and any vote relating to this matter. Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was approved by roll call vote (4-0) with Member Haynes abstaining.

Davidson Concerned Citizens Coalition, Case No. 21-38: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Maury Community PAC, Case No. 21-40: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

Roane County Republican Party, Case No. 21-56: Director Young summarized the facts of this case. Member Lawless moved to assess civil penalties of \$10,000. Member Morton seconded the motion, which was unanimously approved by roll call vote.

TN BLAK-PAK PAC, Case No. 21-59: Representative Hardaway was present and made a short statement on behalf of the PAC regarding the facts and circumstances surrounding this case. Rep. Hardaway stated that the PAC had not received or distributed any funds and had not opened a bank account. Rep. Hardaway stated that a treasurer had been appointed, but quit soon thereafter, and no action had ever been taken by the PAC. After discussion, Member Lawless moved to take no action on this matter. Member Morton seconded the motion, which was unanimously approved. This PAC will be closed upon Rep. Hardaway's request.

Persons Subject to Possible Issuance of Show Cause Notice

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

Shannon Duncan (Coffee Co.)	<i>Show Cause</i>
Doug Englen	<i>Show Cause</i>
Jamie Jackson (Sullivan Co.)	<i>Show Cause</i>
Mark Vicors (Sullivan Co.)	<i>Show Cause</i>
Change TN	<i>Show Cause</i>
Conservation Action PAC	<i>Show Cause</i>
Hawkins County Republican Committee	<i>Take No Action</i>
Hickman County Democratic Party	<i>Show Cause</i>
Tennesseans for Truth in Politics	<i>Show Cause</i>
Tennessee United	<i>Show Cause</i>
We Are Ready Nashville PAC	<i>Show Cause</i>

After some discussion, Member Haynes seconded the motion, which was unanimously approved by roll call vote.

Rescind Civil Penalty

Marion LaTroy A. Williams, Jr., Case No. 21-24. *See Reconsideration of Case Nos. 20-63, 20-64, and 20-65 above.*

Set Date of Registry Board’s Next Meeting

After some discussion, the Registry set its next meeting for January 13, 2022.

Other Business

Election of Chair and Secretary for 2022 Calendar Year: After some discussion, Member Lawless moved to elect Paige Burcham-Dennis as the Registry’s Chair for the calendar year 2022. Member Morton seconded the motion, which was approved by voice vote. Chairman Golden moved to elect Member Morton as the Registry’s Secretary for the 2022 Calendar Year. Member Lawless seconded the motion, which was unanimously approved by voice vote.

Executive Session

Following the conclusion of the Registry's regular meeting, the Registry moved into Executive Session. This portion of the meeting was not open to the public. After conclusion of the Registry's business, there was a motion and second to adjourn the meeting. This motion was unanimously approved by voice vote.