

**Tennessee Ethics Commission**  
**May 16, 2012**  
**Minutes**

The Tennessee Ethics Commission met on Wednesday, May 16, 2012 at 9:00 a.m. at the Bureau of Ethics and Campaign Finance office. Members present were: Jim Stranch, Greg Hardeman, George Jaynes, Pam Martin, and Tammy White. Chairman Stranch called the meeting to order.

***March 29, 2012 Minutes***

Mr. Hardeman made the motion to approve the March 29, 2012 minutes and Ms. White seconded. The motion passed 5-0.

***Requests for Reconsideration***

*Thomas Pettigrew, Sr. (Obion County Commissioner) – 2012-006*

Mr. Pettigrew submitted payment of a \$50 civil penalty and requested reconsideration of the assessment because he believed that he had previously mailed and email his Statement of Interest. Mr. Jaynes made the motion to refund the payment and Mr. Hardeman seconded. The motion passed 5-0.

*Tommy Turner (Alderman, Whiteville) – 2012-007*

A statement was submitted on Mr. Turner's behalf requesting reconsideration because the Statement was originally mailed on February 22, 2012. Mr. Hardeman made the motion to waive the assessment of the \$50 penalty and Ms. Martin seconded. The motion passed 5-0.

***Assessments –Local Officeholders***

*Rebecca Durham (Commissioner, Sumner County) – 2012-031*

Ms. White made the motion to assess a \$150 civil penalty for late filing (6 days). Mr. Jaynes seconded and the motion passed 5-0.

*Barry Newberry (Constable, Macon County) – 2012-032*

Ms. White made the motion to assess a \$175 civil penalty for late filing (7 days). Mr. Jaynes seconded and the motion passed 5-0.

*Kelly Hankins (State Executive Committee, Shelby County) 2012-033*

Mr. Hardeman made the motion to assess a \$275 civil penalty for late filing (11 days) and Ms. White seconded. The motion passed 5-0.

*Quincy Barlow (Commissioner, Tipton County) 2012-034*

Mr. Barlow appeared before the Commission and requested that he not be assessed a civil penalty for his late filing. Mr. Jaynes made the motion to waive any penalty and Mr. Hardeman seconded. The motion passed 5-0.

*James H. Davis (Alderman, Brighton) 2012-037*

A statement was submitted on Mr. Davis' behalf by Mrs. Davis. The statement explained that Mr. Davis had an accident and was hospitalized during January and February. Mr. Hardeman made the motion to waive any penalty and Ms. White seconded. The motion passed 5-0.

*Jerry D. Adcock (Commissioner, DeKalb County) 2012-035*

Mr. Hardeman made the motion to assess a \$525 civil penalty for late filing (21 days) and Mr. Jaynes seconded. The motion passed 5-0.

*Mary Annette Smith (School Board Member, Clay County) – 2012-038*

Mr. Hardeman made the motion to assess a civil penalty of \$10,000 for late filing (42 days). Mr. Jaynes seconded and the motion passed 5-0.

*Vernon Justes (Commissioner, Morgan County) – 2012-039*

Ms. White made the motion to assess a civil penalty of \$10,000 for late filing (42 days late). Mr. Hardeman seconded and the motion passed 5-0.

*Tony Ross (Road Supervisor, Hardeman County) – 2012-040*

Mr. Jaynes made the motion to assess a civil penalty of \$10,000 for failure to file. Mr. Hardeman seconded and the motion passed 5-0.

*Ronnie Sutton (Constable, Sevier County) – 2012-041*

*Curtis Keith Oliver (Alderman, Moscow) – 2012-042*

*James Randy Linville (School Board Member, Trousdale County) – 2012-044*

*Charles Johnson (Alderman, Bulls Gap) – 2012-045*

Mr. Hardeman made the motion to assess a civil penalty of \$10,000 for failure to file. Ms. Martin seconded and the motion passed 5-0.

*Jim Wimley (Constable, Franklin County) 2012-043*

Mr. Hardeman made the motion to assess a civil penalty of \$500 for late filing and Mr. Jaynes seconded. The motion passed 5-0.

***Assessments – Candidate***

*Ricky R. Turner (City Councilman, Murfreesboro ) 2012-030*

Mr. Hardeman made the motion to assess a civil penalty of \$500 for late filing (39 days). Ms. Martin seconded and the motion passed 5-0.

***Assessments – Lobbyists***

*Michael Leventhal – 2012-046*

Mr. Jaynes made the motion to assess a civil penalty of \$200 for late payment of the registration fee. Mr. Hardeman seconded and the motion passed 5-0.

***Assessments – Lobbyists (continued)***

*Mimi Phillips – 2012-056*

Ms. Phillips submitted a statement explaining that she did not register because she was not lobbying this year and was unaware that the employer had registered. Mr. Hardeman made the motion to waive any civil penalty and Mr. Jaynes seconded. The motion passed 5-0.

***Assessments – Employers of Lobbyists***

*TN Men's Health Network – 2012-047*

Mr. Hardeman made the motion to assess a \$200 civil penalty for late payment of the registration fee. Mr. Jaynes seconded and the motion passed 5-0.

*United Cerebral Palsy of Middle TN – 2012-048*

Ms. White made the motion to assess a \$100 civil penalty for late filing of the expenditure report. Mr. Jaynes seconded and the motion passed 5-0.

*Laurel Valley Conservation LLC – 2012-049*

Mr. Hardeman made the motion to assess a \$250 civil penalty for late filing of the expenditure report and Mr. Jaynes seconded. The motion passed 5-0.

*TN Men's Health Network – 2012-050*

Mr. Hardeman made the motion to assess a \$200 civil penalty for late filing of the expenditure report and Ms. Martin seconded. The motion passed 5-0.

*Appalachian Underwriters, Inc. – 2012-051*

Ms. White made the motion to assess a \$750 civil penalty for late filing of the expenditure report (over 30 days) and Mr. Hardeman seconded. The motion passed 5-0.

*TN Natural Building Stone Conservancy – 2012-052*

Mr. Hardeman made the motion to assess a \$750 civil penalty for failure to file the expenditure report and Ms. White seconded. The motion passed 5-0.

*Metal Management Memphis, LLC – 2012-053*

A statement was submitted by Lee Harris, CFO of Metal Management, explaining why the expenditure report was filed late. In addition, the current lobbyist, Wendell Moore, was in attendance to answer questions. Mr. Hardeman made the motion to waive any civil penalty and Ms. White seconded. The motion passed 5-0.

*Metro Livery – 2012-054*

Mr. Hardeman made the motion to assess a \$750 civil penalty for failure to file the expenditure report. Mr. Jaynes seconded and the motion passed 5-0.

*Publishers Representatives Organization of TN – 2012-055*

A statement was submitted by Phil Hester explaining that it was his understanding that a former lobbyist was filing the statement and he did not realize it had not been filed. Mr. Hardeman made the motion to waive a civil penalty and Ms. Martin seconded. The motion passed 5-0.

***Assessments – Employers of Lobbyists (continued)***

*Universal Electronics, Inc. – 2012-057*

A statement was submitted by Joseph Turner, President, explaining that his busy travel scheduled contributed to the late filing. Mr. Hardeman made the motion to assess a \$100 civil penalty and Ms. Martin seconded. The motion passed 5-0.

***Show Cause Hearing for 2010 Lobbyist Audits***

*Charles Cagle – 2012-025*

Mr. Hardeman made the motion to assess a civil penalty of \$25 for a late registration filing (1 day). Ms. White seconded and the motion passed 5-0. Mr. Cagle paid the penalty before the Commission meeting commenced.

*Anthony Daniels – 2012-026*

The audit found that Mr. Daniels registered 4 days late for 3 employers and 63 days late for 1 employer. Ms. White made the motion to assess the maximum penalty for each late registration and Ms. Martin seconded. The motion passed 5-0. (4 x \$25 x 3 = \$300 + \$750 = \$1050 total)

*Riley Darnell – 2012-027*

Mr. Darnell appeared before the Commission and explained why he was late on 3 registrations (6 days each). Mr. Jaynes made the motion to waive the civil penalty and Ms. White seconded. The motion passed 5-0.

*Remziya Suleyman – 2012-028*

*Michael Warmsley – 2012-029*

Ms. Suleyman and Mr. Warmsley both submitted statements explaining why they were late in registering. Mr. Hardeman made the motion to waive the civil penalty and Mr. Jaynes seconded. The motion passed 5-0.

Ms. White made the motion for the meeting to adjourn and Mr. Jaynes seconded. The motion passed 5-0.