



City of Franklin

Mailing Address:
109 3rd Ave S
Franklin, TN 37064
(615) 791-3217

Meeting Agenda

Ethics Commission

Monday, December 1, 2025

9:30 AM

Police Community Room

MEETING LOCATION

Franklin Police Community Room
900 Columbia Ave

CALL TO ORDER

APPROVAL OF MINUTES

1. Consideration Of Approval Of Minutes
October 23, 2024 Ethics Commission Meeting

NEW BUSINESS

2. Discussion Of The Bylaws Of The Ethics Commission And If Amendments Need To Be Made
3. Consideration Of The Merits Of Ethics Complaint Filed Against Alderman Matt Brown

OTHER BUSINESS

ADJOURN

Anyone needing accommodations due to disabilities please contact the ADA Coordinator at 615-791-3277 at least 24 hours prior to the meeting.



Meeting Minutes

Ethics Committee

Wednesday, October 23, 2024

3:00 PM

Board Room

CALL TO ORDER

Chair Jim Martin called the meeting to order at 03:00 PM

Board Members Present: Juanita Patton, Jerry Sharber, Vona Wilson, Jim Martin

Board Members Absent: None

Staff Present: Shauna Billingsley, Angie Skarp

CITIZEN COMMENTS (Open for citizens to be heard on any issue or concern, including those related to items on the agenda. Please submit a Speaker Card at the beginning of the meeting if you would like to address the Board/Commission. If you would like to speak on an agenda item, the Chair will hold your comment until the public comment period associated with the item. As provided by law, Boards/Commissions shall make no decisions or consideration of action of citizen comments for items not on the agenda, except to refer the matter to the City Administrator/Staff for administrative consideration, or to a schedule the matter for consideration at a later date. Those addressing the Board/Commission are requested to come to the microphone and identify themselves by name and address for the official record. The Chair may restrict the period for public comment, including the length of the public comment period, the number of individuals who can speak and the length of time each individual may speak. When time allows, the standard individual public comment time is two minutes.)

APPROVAL OF MINUTES

1. **Consideration Of Approval Of Minutes
September 1, 2023 Ethics Commission Special Meeting**

Sponsors:

A motion was made by Commissioner Jerry Sharber, seconded by Commissioner Juanita Patton to Approve the September 1, 2023 Ethics Commission Minutes. The motion passed 4-0.

NEW BUSINESS

2. **Discussion Of The Bylaws Of The Ethics Commission And If Amendments Need To Be Made**

Sponsors:

A motion was made by Commissioner Jerry Sharber, seconded by Commissioner Vona Wilson to Approve the Bylaws as Amended. The motion passed 4-0.

OTHER BUSINESS

ADJOURN

A motion was made by Commissioner Vona Wilson, seconded by Commissioner Jerry Sharber to Adjourn the Meeting. The motion passed 4-0.

Meeting Adjourned @ 03:10 PM

Jim Martin Chair

Minutes Prepared by Sarah Schilling, Deputy City Recorder - City Recorder's Office - 11/24/25, 2:46 PM

ETHICS COMMISSION
AMENDED BYLAWS AND PROCEDURES

October 23, 2024

I. PURPOSE and AUTHORITY

Tennessee Code § 8-17-103 requires municipalities to adopt a code of ethics by ordinance which apply to elected and appointed officials of the city. The purpose of these bylaws and procedures is to provide for the orderly disposition of the business of the Ethics Commission (hereafter known as the Commission). Pursuant to Franklin Municipal Code Title 2, Chapter 3, the Commission is empowered to hear complaints filed by interested persons of alleged violations of the City's Code of Ethics (Franklin Municipal Code, Title 1, Chapter 8). Further, the Commission is empowered to establish any procedures, rules and regulations governing its internal organization and conduct of its affairs, including, but not limited to, scheduling meetings as needed, to receive and hear complaints of violations of standards required by the ethics code, to make investigations as it deems necessary to determine whether any person has violated this ethics code, but only after the affirmative vote of majority of the ethics commission have voted to conduct the investigation, to take such action as provided in the ethics code as deemed appropriate because of any violation of this ethics code, to make proposals or recommendations to the board of mayor and aldermen for the adoption of any revisions or amendments to this ethics code, to receive and review ethics reports, and to perform any other function authorized by the ethics code.

II. MEMBERS

1. APPOINTMENT

The Commission is created by the Board of Mayor and Alderman as a Commission of (5) members. Their terms of office, succession, removal, filling of vacancies, and their powers and duties, shall be as provided in the Municipal Code.

2. CONDUCT

A. Ex Parte Communication. At no time shall two or more Commission Members meet to discuss any issues to be heard before the Commission without first complying with Tennessee Code Annotated, Section 8-44-101, et. seq. Nothing in this section shall be construed as to require a chance meeting of two or more Commission Members to be considered a public meeting as long as the Commission Members do not use the meeting to decide or deliberate any issues pending before the Commission. Further, Commissioners shall refrain from talking with anyone regarding the merits of the matter prior to the matter being discussed at a scheduled meeting.

B. Direct Economic Conflict of Interest [and Acceptance of Bribes, Gifts and Other Economic Benefits](#). Any Commission Member who personally has or had an immediate family member who has any economic stake in any item that is to be

heard before the Commission must make known the conflict and excuse him or herself from discussion or voting on the item. At no time may a Commission Member derive or attempt to derive any unjustified enrichment from his office through the solicitation or acceptance of any bribe, gift or other economic benefit, which the Commission Member believes or should believe was intended to influence his or her vote or other action to be taken in his capacity. Commission Members shall not accept any gift or other economic benefit granted because of any vote or other action in his official capacity already taken by him.

C. Indirect Conflict of Interest. Any Commission Member who has an indirect interest in any item that is heard by the Commission may vote on the matter if the member informs the body immediately before the matter is heard that he has a conflict of interest but that he declares that he will vote his conscience to fulfill his obligation to the citizens that the body represents. Indirect Conflict shall mean any contract in which the Commission Member may have an interest but will not derive a direct benefit from the ~~action~~ [outcome of the ethics proceedings](#).

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III. OFFICERS AND THEIR DUTIES

1. OFFICERS

Officers of the Commission shall consist of a Chair, a Vice Chair, and a Secretary. The officers shall be elected from among the appointed members of the Commission at the first meeting of each year. The procedures for election of officers are as follows:

- A. The election meeting shall be presided over by the current Chair, or in his/her absence, the Vice Chair. If neither the Chair nor Vice Chair is present, the Secretary shall call for an election to appoint a temporary chair.
- B. Nominations shall be made by members of the Commission.
- C. The candidate for each office receiving a majority vote of the entire membership of the Commission shall be declared elected.
- D. The Chair, Vice Chair and Secretary shall be elected for a one (1) year term and shall be eligible to succeed themselves.

2. VACANCIES

Vacancies in office shall be filled for an unexpired term at the next regularly scheduled meeting of the Commission.

3. DUTIES

- A. The Chair shall preside at all meetings and hearings of the Commission and have duties normally conferred by the parliamentary usage on

such officers. The Chair shall have the privilege of discussing all matters before the Commission and to vote thereon.

- B. The Vice Chair shall preside at any meeting or hearing not attended by the Chair and shall assume all of his/her privileges and duties.
- C. The Secretary shall be an employee of the City and shall ensure that a full record is kept of all proceedings of the Commission, including minutes and votes in the official minutes.
- D. The staff of the Law Department shall work with the Chair in the preparation of the agenda for regular and special meetings, provide notice of meetings to Commission members, arrange proper legal notice of hearings, attend to correspondence of the Commission members, and such other duties as are deemed appropriate.

IV. MEETINGS

1. Regular meetings shall not be required.
2. Special meetings may be called by the City Attorney or the Chair, when he/she receives a timely filed complaint, when he/she deems it expedient, or when it is so requested by a majority of the Commission membership. The notice of such meeting shall be given no less than three (3) days prior to the meeting and shall specify the purpose of such a meeting and no other business may be considered.
3. The presence of three (3) voting members of the Commission shall constitute a quorum, and a quorum must be present to conduct a public hearing where action of the Commission is requested. A concurring vote of a majority of the voting members present shall be necessary to make recommendations after public hearing.
4. Every meeting of the Commission shall be open to the public pursuant to the Tennessee Open Meetings Act, Tennessee Code Annotated Section 8-44-101, et seq.

V. ETHICS COMPLAINTS FILED AGAINST ELECTED AND APPOINTED OFFICIALS

1. The Commission is authorized to hear and decide complaints pursuant to the Franklin Municipal Code Title 1, Chapter 8, and Title 2, Chapter 3.
2. A complaint to the Commission shall be filed with the City Recorder within thirty (30) days of the alleged violation said to have occurred, or, in case of concealment or nondisclosure, within six (6) months of the date the alleged violation should have been discovered after due diligence. The Commission shall not hear untimely

complaints.

3. The complaint shall be based on personal knowledge, set forth such facts as would be admissible in evidence, and shall show affirmatively that the complainant is competent to testify to the matters stated therein. All documents referred to in the complaint shall be attached to the complaint.
4. The Commission shall have the authority to initiate an investigation on its own cognizance as it deems necessary to fulfill its obligations under Title 2, Chapter 3 of the Franklin Municipal Code.

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VI. INITIAL DETERMINATION HEARING

1. The Commission will meet at an agreed upon date and time, but no later than thirty (30) days after the filing of a complaint, to make an initial determination whether the complaint alleges facts sufficient to constitute an ethical violation, if proved, or whether there are deficiencies to the complaint, or whether the complaint is incomplete.
2. Should the Commission determine that the complaint fails to allege any facts that, if proven, constitute an ethical violation, the Commission may dismiss the complaint. The complaint may be refiled so long as the refiled complaint is timely pursuant to Franklin Municipal Code 2-310.
3. Should the Commission determine that there are technical deficiencies in the complaint or that the complaint is incomplete, the Commission shall submit a list of deficiencies to the complainant and offer the complainant the opportunity to amend the complaint to correct the deficiencies within seven (7) days prior to the Commission's investigatory review of the complaint.
4. If the Commission determines that the complaint, **or complaint as amended,** states facts which, if proven, state a colorable claim of an ethical violation sufficient to move forward, the official against whom the complaint was filed shall be ~~furnished~~**furnished a copy of the Complaint and shall** reply in writing. Such reply shall be filed within thirty (30) days of the date the official received **a copy of** the complaint from the City Recorder. The Commission, however, may shorten~~ed~~ or extend~~ed~~ the reply deadline as the Commission deems necessary. The official's response must be based on personal knowledge, must set forth such facts as would be admissible in evidence, and must show affirmatively that the official is competent to testify to the matters stated therein. All documents referred to in the ~~reply shall~~ **response should** be attached to the ~~reply~~ response. However, to ensure the right to a fair hearing and preserve the right of the accused against self-incrimination, the Commission shall not schedule a hearing for the violation of any law while a criminal investigation is in progress or while criminal charges are pending. Once criminal proceedings are final, the Commission need not be bound

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by the conclusions of the criminal court and may hold a hearing.

5. If a complaint is refiled or amended after the initial determination hearing, the complaint will be deemed new and the timeframes set forth in this document restart.

VII. HEARING PROCEDURE

1. Within sixty (60) days of receipt of a complaint, the Commission shall conduct a formal public hearing in accordance with the requirements of due process. The Commission is authorized to subpoena and swear witnesses.
2. Order of Presentation and Public Hearing Session
 - A. A brief explanation of why the application is before the Commission, including presentation of a report by the City Attorney or outside counsel, if one is prepared.
 - B. The Chair is authorized to place time limits on the presentation of testimony and proof in any and all cases.
 - C. After the staff introduction, the complainant shall present his/her case and shall provide:
 1. The applicant's name; and
 11. A statement of the alleged violation that the complainant believes has occurred; and
 111. Any witnesses in support of the complaint.
 - D. The official shall then present his/her case to the Commission.
 - E. After the complainant and official presents their case, the Public Hearing Session shall be opened. The Public Hearing Session of each meeting shall consist of a public hearing of each complaint which is docketed for consideration on that day, unless the Commission believes that complaints are similar in nature and that the official(s) are the same.
 - F. Anyone appearing in support of or in opposition to the complaint shall present his/her case during the Public Hearing Session and shall include:
 1. The public member's name; and
 11. A statement of why the public member believes alleged violations did or did not occur and if there was a violation.

G. All exhibits presented to the Commission for consideration must be submitted as evidence and made a part of the official record unless the Commission otherwise provides.

H. Cross examination of any party by another party shall generally not be permitted. All such comments shall be addressed to the Commission.

I. Any member of the Commission may directly question the Staff, the complainant, ~~the~~ official, public members who ~~speak~~ ~~spoke~~ during the Public Hearing Session, ~~and~~ ~~or~~ witnesses appearing before the Commission at any time during the ~~proceeding~~ ~~testimony~~.

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J. After each individual complaint (unless combined by the Commission) is heard, the Public Hearing Session on that complaint shall be closed, and the Commission will ~~decide the merits of~~ ~~move on~~ that complaint before proceeding to the next complaint.

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K. Upon the conclusion of all the testimony and proof, the public hearing shall be closed, and no further evidence admitted except as the Commission may permit on special motion or request for good cause.

L. The Commission shall ~~then~~ consider the applications based upon the evidence and testimony provided. No further testimony will be heard, and all questions and discussion shall be by members of the Commission.

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M. If after reviewing the complaint the Commission by majority vote determines that no specific, substantiated evidence from a credible source(s) exists to support a reasonable belief that there has been a violation of the ethics code or determines that no violation occurred, it may dismiss the complaint. If the Commission determines that specific, substantiated evidence from a credible source(s) exists to support a reasonable belief that there has been a violation of the ethics code, then it shall render a written decision stating facts supporting that finding, conclusions of law and censure, as appropriate.

VIII. POST HEARING

1. Any party against whom a decision of the ethics commission is rendered may obtain judicial review of the decision by writ of certiorari. The application for the writ must be filed within 30 days from the date of the decision. Judicial review shall be based upon the record. No party shall be entitled to a de novo ~~appeal~~ ~~review~~.

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2. Upon failure to timely request judicial review of the decision by writ of certiorari

as provided in this section, the decision shall be binding and final upon all parties.

VIII. PARLIAMENTARY PROCEDURE

Whenever a parliamentary matter arises that is not covered in these By-Laws, the current edition of Robert's Rules of Order shall apply.

IX. AMENDMENTS

The Bylaws of this Commission may be amended at regular or special called meetings, but no amendment shall be adopted unless at least five (5) days' notice has been given all members of the Commission. A favorable vote of a majority of the entire membership of five (5) members shall be required to effect a change in these Bylaws.

Adopted by the City of Franklin Ethics Commission on this 23rd day of October, 2024.

Approved by:

Jim Martin, Chair
City of Franklin Ethics Commission

ETHICS COMMISSION
AMENDED BYLAWS AND PROCEDURES

October 23, 2024

I. PURPOSE and AUTHORITY

Tennessee Code § 8-17-103 requires municipalities to adopt a code of ethics by ordinance which apply to elected and appointed officials of the city. The purpose of these bylaws and procedures is to provide for the orderly disposition of the business of the Ethics Commission (hereafter known as the Commission). Pursuant to Franklin Municipal Code Title 2, Chapter 3, the Commission is empowered to hear complaints filed by interested persons of alleged violations of the City's Code of Ethics (Franklin Municipal Code, Title **1**, Chapter 8). Further, the Commission is empowered to establish any procedures, rules and regulations governing its internal organization and conduct of its affairs, including, but not limited to, scheduling meetings as needed, to receive and hear complaints of violations of standards required by the ethics code, to make investigations as it deems necessary to determine whether any person has violated this ethics code, but only after the affirmative vote of majority of the ethics commission have voted to conduct the investigation, to take such action as provided in the ethics code as deemed appropriate because of any violation of this ethics code, to make proposals or recommendations to the board of mayor and aldermen for the adoption of any revisions or amendments to this ethics code, to receive and review ethics reports, and to perform any other function authorized by the ethics code.

II. MEMBERS

1. APPOINTMENT

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A. Ex Parte Communication. At no time shall two or more Commission Members meet to discuss any issues to be heard before the Commission without first complying with Tennessee Code Annotated, Section 8-44-101, et. seq. Nothing in this section shall be construed as to require a chance meeting of two or more Commission Members to be considered a public meeting as long as the Commission Members do not use the meeting to decide or deliberate any issues pending before the Commission. Further, Commissioners shall refrain from talking with anyone regarding the merits of the matter prior to the matter being discussed at a scheduled meeting.

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- B. Nominations shall be made by members of the Commission.
- C. The candidate for each office receiving a majority vote of the entire membership of the Commission shall be declared elected.
- D. The Chair, Vice Chair and Secretary shall be elected for a one (1) year term and shall be eligible to succeed themselves.

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4. If the Commission determines that the complaint, or complaint as amended, states facts which, if proved, state a colorable claim of an ethical violation sufficient to move forward, the official against whom the complaint was filed shall be furnished a copy of the Complaint and shall reply in writing. Such reply shall be filed within thirty (30) days of the date the official received a copy of the complaint from the City Recorder. The Commission, however, may shorten or extend the reply deadline as the Commission deems necessary. The official's response must be based on personal knowledge, must set forth such facts as would be admissible in evidence, and must show affirmatively that the official is competent to testify to the matters stated therein. All documents referred to in the reply shall be attached to the reply. However, to ensure the right to a fair hearing and preserve the right of the accused against self-incrimination, the Commission shall not schedule a hearing for the violation of any law while a criminal investigation is in progress or while criminal charges are pending. Once criminal proceedings are final, the Commission need not be bound by the conclusions of the criminal court and may hold a hearing.

5. If a complaint is refiled or amended after the initial determination hearing, the complaint will be deemed new and the timeframes set forth in this document restart.

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 - C. After the staff introduction, the complainant shall present his/her case and shall provide:
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 - G. All exhibits presented to the Commission for consideration must be submitted as evidence and made a part of the official record unless the

Commission otherwise provides.

- H. Cross examination of any party by another party shall generally not be permitted. All such comments shall be addressed to the Commission.
- I. Any member of the Commission may directly question the Staff, the complainant, the official, public members who speak during the Public Hearing Session, and witnesses appearing before the Commission at any time during the proceeding.
- J. After each individual complaint (unless combined by the Commission) is heard, the Public Hearing Session on that complaint shall be closed, and the Commission will decide the merits of that complaint before proceeding to the next complaint.
- K. Upon the conclusion of all the testimony and proof, the public hearing shall be closed, and no further evidence admitted except as the Commission may permit on special motion or request for good cause.
- L. The Commission shall consider the applications based upon the evidence and testimony provided. No further testimony will be heard, and all questions and discussion shall be by members of the Commission.
- M. If the Commission by majority vote determines that no specific, substantiated evidence from a credible source(s) exists to support a reasonable belief that there has been a violation of the ethics code or determines that no violation occurred, it may dismiss the complaint. If the Commission determines that specific, substantiated evidence from a credible source(s) exists to support a reasonable belief that there has been a violation of the ethics code, then it shall render a written decision stating facts supporting that finding, conclusions of law and censure, as appropriate.

VIII. POST HEARING

1. Any party against whom a decision of the ethics commission is rendered may obtain judicial review of the decision by writ of certiorari. The application for the writ must be filed within 30 days from the date of the decision. Judicial review shall be based upon the record. No party shall be entitled to a de novo review.
2. Upon failure to timely request judicial review of the decision by writ of certiorari as provided in this section, the decision shall be binding and final upon all parties.

VIII. PARLIAMENTARY PROCEDURE

Whenever a parliamentary matter arises that is not covered in these By-Laws, the current edition of Robert's Rules of Order shall apply.

IX. AMENDMENTS

The Bylaws of this Commission may be amended at regular or special called meetings, but no amendment shall be adopted unless at least five (5) days' notice has been given all members of the Commission. A favorable vote of a majority of the entire membership of five (5) members shall be required to effect a change in these Bylaws.

Adopted by the City of Franklin Ethics Commission on this _____ day of _____, 202__.

Approved by:

Jim Martin, Chair
City of Franklin Ethics Commission

CHAPTER 8. - ETHICS

Sec. 1-801. - Applicability and interpretation.

- (1) This chapter is the Code of Ethics for the City of Franklin and applies to all full time and part time elected or appointed officials and employees, whether compensated or not, including those of any separate board, commission, committee, authority, corporation, or other instrumentality appointed or created by the municipality. The words "municipal" and "municipality" include these separate entities. When a violation of this Code of Ethics also constitutes a violation of a personnel policy, rule, or regulation or a civil service policy, rule, or regulation, the violation shall be dealt with as a violation of the personnel or civil service provisions rather than as a violation of this Code of Ethics except as may be required by law. In any situation in which a personal interest is also a conflict of interest under state law, the more restrictive regulation shall apply. Any action or inaction governed by this chapter may also constitute state and federal crimes. This chapter is not intended to supersede state or federal law.
- (2) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this Code of Ethics. The interpretations of the Tennessee Ethics Commission shall serve as guidance in interpreting this chapter.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-802. - Definitions and interpretation.

Censure means an expression of severe criticism or reproach.

Employment interest includes a situation in which an official or employee or a designated family member is negotiating possible employment with a person or organization that is the subject of the vote or that is to be regulated or supervised.

Ethics commission refers to the City of Franklin's Ethics Commission.

Gift means the transfer of anything of economic value, regardless of form, without adequate and lawful consideration. Such term does not include the solicitation, acceptance, receipt or regulation of political campaign contributions. A gift shall be further defined in this chapter and includes a subscription, membership, loan, forgiveness of debt, advance or deposit of money or anything of value, conveyed or transferred. It does not include a campaign contribution otherwise reported as required by law, a commercially reasonable loan made in the ordinary course of business, or a gift received from a member of the person's immediate family or from a relative within the third degree of consanguinity of the person or of the person's spouse, or from the spouse of any such relative. It does not include the waiver of a registration fee for a conference or educational seminar.

Giver means that person, firm, entity or institution that gives for the purpose of lobbying a gift, honorarium or other thing of value that meets the definition of lobbyist, as these terms are found in T.C.A. § 3-6-301.

Honorarium means payment of money or any thing of value for an appearance, speech or article, but does not include actual and necessary travel expenses, meals and lodging associated with such appearance, speech or article.

Officer or official means the members of the board of mayor and aldermen, as well as members appointed thereby to city boards, commissions, etc. Unless otherwise stated, it does not include city employees.

Personal interest means:

- (a) Any financial, ownership, or employment interest in the subject of a vote by a municipal board not otherwise regulated by state statutes on conflicts of interests; or
- (b) Any financial, ownership, or employment interest in a matter to be regulated or supervised; or
- (c) Any such financial, ownership, or employment interest of the official's or employee's spouse or immediate family. For the purposes of this chapter, "immediate family" includes parent(s), stepparent(s), grandparent(s), siblings(s), child(ren), or stepchild(ren) or the spouses thereof.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-803. - Disclosure of personal interest by official with vote.

An official with the responsibility to vote on a measure shall disclose during the meeting at which the vote takes place, before the vote and so it appears in the minutes, any personal interest that affects or that would lead a reasonable person to infer that it affects the official's vote on the measure. In addition, the official may recuse himself or herself from voting on the measure.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-804. - Disclosure of personal interest in nonvoting matters.

An official or employee who must exercise discretion relative to any matter, other than casting a vote, and who has a personal interest in the matter that affects or that would lead a reasonable person to infer that it affects the exercise of the discretion shall disclose, before the exercise of the discretion when possible, the interest on a form provided by and filed with the recorder. In addition, the official or employee may, to the extent allowed by law, charter, ordinance, or policy, recuse himself or herself from the exercise of discretion in the matter.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-805. - Acceptance of gifts, gratuities, honoraria, etc.; exceptions; reporting.

- (1) Except as provided in this section, no officials or employees, either for themselves or for their immediate family, or for any other person, may knowingly solicit, receive benefit from, accept or agree to accept any gratuity, gift, honoraria, loan, favor, promise or any thing of value for themselves, any other person or any member of the immediate family of such official. In addition, it shall also be a violation of this ethics code for any gift as defined in this chapter to be received by any such person as specified in this section if:
 - (a) It tends to influence the official or employee in the discharge of official duties or gives a reasonable basis for the impression of improper influence over the discharge of official duties; or
 - (b) The official or employee has financial interest which may be substantially and materially affected, by performance or nonperformance of official duties.
- (2) The gifts, gratuities, honoraria and other things listed in the Tennessee Ethics Commission Act (specifically but not exclusively T.C.A. § 3-6-305(b)) shall not be prohibited.
- (3) If an official attends an event and accepts a prohibited gift or honorarium, then the giver who knows or has reason to know that the it has been provided in violation of this chapter, then, within seven days following the event, the giver shall electronically report the following information to the ethics commission:
 - (a) Name of the official or family member;
 - (b) Nature and purpose of the event;
 - (c) Name, address and business of the person or entity that provided the gift;
 - (d) Description of the gift; and
 - (e) Cost of the gift; however, if the cost of the gift is unknown and not reasonably discernible by the giver, then the giver shall report a good faith estimate of the cost of the gift.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-806. - Use of information.

- (1) Officials or employees may not disclose any information obtained in their official capacity or position of employment that is made confidential under state or federal law except as authorized by law.
- (2) Officials or employees may not use or disclose information obtained in their official capacity or position of employment with the intent to result in financial gain for themselves or any other person or entity.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-807. - Use of municipal time, facilities, etc.

- (1) Officials or employees may not use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to themselves.
- (2) Officials or employees may not use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-808. - Use of position or authority.

- (1) Officials or employees may not make or attempt to make private purchases, for cash or otherwise, in the name of the municipality.
- (2) Officials or employees may not use or attempt to use their position to secure any privilege or exemption for themselves or others that is not authorized by the charter, general law, or ordinance or policy of the municipality. No officer shall intimidate, threaten, coerce, discriminate against, or give the appearance of or attempt to intimidate, threaten, coerce or discriminate against any employee for the purpose of interfering with that person's freedom of choice in the regular discharge of official duties.
- (3) No official or employee shall endorse, in such a manner as to convey the city's approval of, any private for-profit enterprise without the approval of the board of mayor and aldermen.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-809. - Outside employment.

An official or employee may not accept or continue any outside employment if the work unreasonably inhibits the performance of any affirmative duty of the municipal position or conflicts with any provision of the municipality's charter or any ordinance or policy. The prohibition of this section shall not apply to:

- (1) An officer or employee who is appointed to a regulatory or licensing authority pursuant to a statutory requirement that persons subject to the jurisdiction of the authority be represented in appointments to it; or
- (2) An officer or employee whose government duties are ministerial, if the private employment or financial interest does not create a conflict of interest.
- (3) An officer who abstains to avoid the conflict of interest as provided in this chapter.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-810. - Abstention to avoid conflicts of interest.

- (1) It shall be a violation of this chapter for any city official to participate, directly or indirectly, through decision, approval, disapproval, recommendation or in any other manner, upon the following, each of which is deemed to be a conflict of interest:
 - (a) Any proceeding, application, vote, request for ruling, claim, controversy, contract or any other matter involving an immediate family member.
 - (b) Any matter in which the officer has a financial interest, a fiduciary interest, a corporate interest, or an employment interest.
- (2) Except as otherwise provided by law, no officer shall, in such capacity, participate in the discussion, debate, deliberation or vote, or otherwise take part in the decision-making process on any item in which the officer has a conflict of interest.
- (3) It is hereby declared that it is not the intent of this ethics code to prohibit an immediate family member of an officer from being engaged in gainful employment in this city. The city shall not be prohibited from doing business with an entity which employs an immediate relative of an officer, provided that:
 - (a) Such business relationship does not violate this chapter;
 - (b) Such business relationship is fully disclosed in writing; and
 - (c) Where applicable, the affected business entity shall be required to fulfill all public bidding requirements when conducting business with the city.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-811. - Ethics complaints.

- (1) The city attorney is designated as the ethics officer of the municipality. Upon the written request of an official or employee potentially affected by a provision of this chapter, the city attorney may render an oral or written advisory ethics opinion based upon this chapter and other applicable law.
- (2) Except as otherwise provided in this subsection, the city attorney shall investigate any credible complaint against an employee charging any violation of this chapter, or may undertake an investigation to acquire information indicating a possible violation and make recommendations for action to end or seek remedies for any activity that, in the attorney's judgment, constitutes a violation of this Code of Ethics.
- (3) The city attorney may request that the governing body hire another attorney, individual, or entity to act as ethics officer or to provide general counsel to the ethics commission.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-812. - Ethics commission.

An ethics commission, properly constituted, shall convene to determine all ethics complaints against the board of mayor and aldermen as provided in Chapter 3 of Title 2 of the Franklin Municipal Code.

(Ord. No. 2007-69, 5-8-2007)

Sec. 1-813. - Violations.

- (1) An elected official or appointed member of a separate municipal board, commission, committee, authority, corporation, or other instrumentality who violates any provision of this chapter is subject to punishment as provided by the municipality's charter and/or other applicable law and in addition is subject to censure by the governing body. In addition to any other remedy provided by law, an appointed official or an employee who violates any provision of this chapter is subject to disciplinary action including but not limited to termination in the case of an employee.
- (2) A gift made contrary to this chapter, shall not be a violation if the official, employee or immediate family member does not use the gift and returns it to the donor within the latter of ten days of receipt or ten days of having knowledge that the gift was a violation or pays consideration of equal or greater value within the latter of ten days of receipt or ten days of having knowledge that the gift was a violation.

(Ord. No. 2007-69, 5-8-2007)

Formal Complaint Regarding Systemic Unethical Behavior

RECEIVED
NOV 18 2025

November 13, 2025

Erinn Watkins
2020 Fieldstone Pkwy, Ste 900-341
Franklin, TN 37069
MSGWatkins@pm.me
615-212-8155

Shauna Billingsley
City Attorney
City of Franklin
109 3rd Ave South
Franklin, TN 37064

Dear Shauna Billingsley,

I am writing to formally address my concerns regarding systemic unethical behavior observed during the Franklin 2025 Municipal Election for Alderman by Matt Brown, Alderman and incumbent. Despite multiple attempts to resolve these issues informally, it has become clear that the practices in question not only affect individuals but also undermine the integrity and ethical standards of the election process as a whole.

The Ethics Ordinance states that

- (1) Officials or employees may not use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to themselves.
- (2) Officials or employees may not use or authorize the use of municipal time, facilities, equipment or supplies for private gain or advantage to any private person or entity, except as authorized by legitimate contract or lease that is determined by the governing body to be in the best interests of the municipality. (Ord. No. 2007-69, 5-8-2007) and
- (2) Officials or employees may not use or attempt to use their position to secure any privilege or exemption for themselves or others that is not authorized by the charter, general law, or ordinance or policy of the municipality. No officer shall intimidate, threaten, coerce, discriminate against, or give the appearance of or attempt to intimidate, threaten, coerce or discriminate against any employee for the purpose of interfering with that person's freedom of choice in the regular discharge of official duties.

Injury refers to harm that a person suffers, which can be physical or emotional. This includes pain, damage to reputation, loss of legal rights, or harm to property.

Concerns include but are not limited to the following:

Interfering with nominating meeting or election

<https://law.justia.com/codes/tennessee/title-2/chapter-19/part-1/section-2-19-101/>

Violence and intimidation to prevent voting

<https://law.justia.com/codes/tennessee/title-2/chapter-19/part-1/section-2-19-115/>

Interference with election or nomination

<https://law.justia.com/codes/tennessee/title-2/chapter-19/part-2/section-2-19-202/>

Official misconduct

<https://www.ctas.tennessee.edu/eli/official-misconduct>

<https://law.justia.com/codes/tennessee/title-39/chapter-16/part-4/section-39-16-402/>

Harassment

<https://law.justia.com/codes/tennessee/title-39/chapter-17/part-3/section-39-17-308/>

<https://www.ctas.tennessee.edu/eli/misconduct-involving-public-officials-and-employees>

Civil Rights Intimidation

<https://law.justia.com/codes/tennessee/title-39/chapter-17/part-3/section-39-17-309/>

The specific instances of unethical behavior include:

1. October 6, 2025

The Williamson County candidates forum was held on October 6 in an auditorium on the Columbia State College campus in Franklin. After it was over Mindy Tate wanted to take our photo. Since we were behind the table we had to move to the front. As I'm walking in Matt Brown's direction to come around the front of the table, he takes his chair and moves it in front of me in my way, blocking my path. He said nothing and did not remove it.

2. October 9, 2025

I was told by Chad Gray that candidates can set up tents at the Election Commission on a "first come, first served" basis. He said this multiple times. I arrived at the Election Commission early around 6:45am and parked where I thought was a suitable place. Matt Brown arrived and parked his truck next to me on my right. As we were setting up our tents I said "good morning". He didn't respond so I said it again, louder. He still didn't respond so I asked him, "are we speaking English today?" That's when he started fussing at me saying things like, "Is this what we're doing? Is this how we're running our campaigns?" I had no idea what he was referring to and he did not explain himself.

Since I was by myself at the time, I decided to wait in my vehicle for another volunteer to arrive because I didn't want to tempt him to yell at me again.



3. October 10, 2025

I got to the Election Commission even earlier around 6:30am and noticed an unattended vehicle in the parking lot with Matt Brown signs in it. This vehicle had been parked overnight at the Election Commission over multiple days. This time it was

parked next to the space where I had my tent set up the day prior.

I managed to set up my tent and then Matt Brown arrived. This time he parked his vehicle next to me on my right, set up tents directly across from me, and had multiple supporting vehicles with signs propped up on them. Then someone set up a tent on my left so it felt like I was surrounded. After setting up my tent and since I was by myself, I got back into my vehicle and waited for one of my volunteers to arrive.

Later I noticed the unmanned tent set up next to me.

Kevin Benson, Director of Property, came to the Election Commission and complimented both me and one of my volunteers for following the rules. He then proceeded to Matt Brown's tent. Matt Brown then removed all the signage, picked up all the signs that were leaning and propped up and held them for the rest of the day.



4. October 22, 2025

One of my volunteers, who was recently widowed, told me that Matt Brown verbally attacked her, publicly shaming her at the Election Commission as she was volunteering for my campaign. She was alone and deeply upset by his angry behavior, which was witnessed by many people and was completely unprovoked.

Verbally attacking and publicly embarrassing someone in a vulnerable state, such as a recent widow volunteering for a political campaign, can exacerbate grief and lead to profound psychological harm. Grief from losing a spouse often involves stages like denial, anger, bargaining, depression, and acceptance, and an attack during this period can intensify feelings of isolation or worthlessness. It might trigger acute stress responses, including anxiety, panic attacks, or even post-traumatic stress disorder (PTSD) if the incident feels like a betrayal or public shaming. The widow could experience sleep disturbances, loss of appetite, or withdrawal from social activities, prolonging the mourning process. In a volunteer role, this might make her question her involvement in community or political efforts, leading to disengagement and a sense of futility.

Public embarrassment amplifies the harm by turning a private vulnerability into a spectacle. This can damage the woman's social standing, especially in tight-knit communities like those involved in local campaigns, where rumors or online backlash spread quickly. She might face stigma, judgment from peers, or even harassment from others who align with the attacker, leading to strained relationships with family, friends, or fellow volunteers. For someone already coping with widowhood, this could result in further isolation, as she avoids public spaces or events to evade confrontation. In the campaign context, it

demoralizes the team, reducing volunteer turnout and enthusiasm, potentially harming the candidate's efforts by creating a toxic atmosphere.

Such behavior sets a negative precedent in politics, normalizing aggression and discouraging participation, particularly from women or those in mourning. It can erode trust in public figures, leading to voter cynicism or lower engagement in civic activities. If the attacker is an incumbent or influential person, it might polarize the community, with supporters defending the actions and opponents escalating conflicts. This fosters division rather than constructive dialogue, making campaigns more about personal vendettas than policy.

5. October 23, 2025

All the alderman candidates attended a meeting on October 13, 2025 at the Election Commission with Commissioner Bill Petty in order to agree on the rules for the signs. Apparently the rules weren't followed last year. We all agreed to follow the published rules.

On October 23, 2025 I received a message from Ben Onisa, Neighborhood Resources Supervisor, to move one of my yard signs, so I did. I asked him for guidance on how to know the proper placement of yard signs and he sent me a link to the zoning map of Franklin along with some guidance.

Based on this guidance, I checked the zoning map for one of Matt Brown's yard signs that was placed at the intersection of Hillhaven Lane and Arsenal Drive. I was familiar with this area because I spoke to a homeowner in that neighborhood and set up two yard signs on his property and his neighbor's property on October 12, 2025. After reviewing the zoning map, I sent my concerns to Ben Onisa and the illegally placed yard signs were removed. This was ten days after we had all agreed to follow the published rules.



6. October 28, 2025

On election day, I was notified by one of my volunteers that Matt Brown had plastered his signs at the intersection of Hillsboro Road and Fieldstone Parkway, violating private HOA property. Additionally, he put several signs in the median on Fieldstone Parkway just before the entrance into the county school property. On the county school property he had signs approximately every 10 feet all the way down the parking lot to where the vote center is located. All in one day, Matt Brown violated private, city, and county ordinances. Not only did he have many signs on city and county property, he also had signs on private HOA property for which he did not have approval from the HOA.



Sitting aldermen hold positions of public trust and authority, making it essential for them to adhere to rules, laws, and ethical standards. Elected officials are not above the law; they must model compliance to reinforce that legal standards apply equally to everyone. Breaking rules, such as campaign ethics rules or codes of conduct, undermines the legal framework that governs society. Accountability ensures consequences, deterring future violations and preserving institutional integrity.

Incumbents represent their constituents and make decisions affecting community resources, zoning, budgets, and services. Rule-breaking erodes confidence in government, leading to voter apathy, lower turnout, or cynicism. Holding them accountable through investigations, ethics committees, or elections rebuilds trust by showing the system self-corrects.

As incumbents, they have access to resources like staff, public funds, or influence over permits and contracts. Without accountability, this can lead to corruption, favoritism, or self-dealing. For example, ignoring conflict-of-interest rules might favor personal business interests over public good.

Rules ensure level playing fields in elections and governance. Incumbents violating them (e.g., misusing official positions for campaigning) can distort outcomes, disenfranchising voters or opponents. Accountability, via recalls, fines, or removal, safeguards democracy.

Setting a Positive Example: Leaders influence community behavior. If an alderman flouts rules without repercussions, it normalizes misconduct, potentially encouraging similar actions among citizens or other officials.

In summary, accountability mechanisms—like ethics boards, judicial oversight, or voter recalls—ensure power is exercised responsibly, fostering a stable, equitable society. Importance of Accountability for Harassment and Intimidation of Minority Alderman Candidates Harassment and intimidation target vulnerable groups, making accountability crucial, especially when perpetrated by those in power:

Minority candidates (e.g., based on race, ethnicity, or sex) bring diverse perspectives to governance, improving representation. Harassment prevents people from getting involved, making our community less inclusive and resulting in leadership that may ignore the needs of minorities.

Such actions often violate laws like anti-discrimination statutes or civil rights protections. Holding perpetrators accountable upholds equal protection under the law, deterring systemic bias and promoting justice.

Intimidation can suppress candidacies, voter turnout, or free speech, undermining fair elections. Accountability through legal action (e.g., charges for threats or bullying) or political consequences ensures safe participation.

Unchecked behavior can escalate to violence or normalize hate, harming community cohesion. Public accountability signals zero tolerance, encouraging reporting and protecting victims.

Victims may face barriers to recourse due to power imbalances. Enforcement levels the field, providing remedies like restraining orders or damages.

These actions have created an environment of distrust and concern among the citizens of Franklin and other observers, which is detrimental to both morale and productivity. Many voters I've talked to feel hesitant to get involved in local government or consider running for office because they're worried about intimidation from those in power. It is vital for the City of Franklin to uphold its commitment to ethical practices and ensure a safe and fair elections for all residents.

I urge you to take immediate action to investigate these matters thoroughly and implement appropriate measures to address the systemic issues identified. These actions should be rebuked in their entirety. I am willing to provide further details and cooperate fully in any investigation.

Thank you for your attention to this critical matter. I look forward to your prompt response.

Respectfully,



Erinn Watkins

Erin Watkins
9000 Fieldstone Plwy
Ste 900-341
Franklin, TN 37069

Shawna Bilingsley
City of Franklin
104 3rd Ave South
Franklin, TN 37064

BUERGER, MOSELEY & CARSON, PLC

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TELEFAX 615-790-8861

November 25, 2025

VIA EMAIL (shauna.billingsley@franklintn.gov)

Shauna Billingsley
Franklin City Attorney
City of Franklin
109 3rd Avenue South
Franklin, TN 37064
RE: Watkins Ethics Complaint against Matt Brown

Dear Shauna:

I represent the Matt Brown in the matter of the ethics complaint filed by Erinn Watkins, dated November 13, 2025.

Even if the allegations of Ms. Watkins complaint are taken as true, they would not rise to the level of an ethics violation under the Franklin City Ordinance. Ms. Watkins account does not allege that Matt Brown attempted to use his position to secure any privilege or exemption. It does not allege that Matt Brown intimidated, threatened, coerced, or discriminated against any employee in the discharge of their duties. On it face, the complaint is deficient to set out a claim of an ethics violation under the Franklin City Ordinance. It should be summarily dismissed by the Commission.

To the extent the Commission is interested in the facts underlying the allegations, suffice it to say that Ms. Watkins interpretation of the events plays fast and loose with the facts. The large majority of the complaint centers around the placement of signs, tents and electioneering at the polling places. To the degree there was any disagreement with the application of sign policies at the Election Commission Office or in the placement of signs on election day, Mr. Brown rectified those situations promptly upon notice of the disagreement. At no time did the actions of Mr. Brown or his campaign rise to the level of a violation of the Franklin ordinance.

As to the factual allegations, I must point out that the only interaction Mr. Brown had with a Watkins volunteer was when the volunteer was attempting to secretly record a conversation of an 18-year-old voter and the Brown campaign staff. He simply asked her to delete the recording. If anything, it was the Watkins campaign seeking to intimidate a young voter.

This allegation follows a pattern of weaponization of the ethics code of the City of Franklin. Unsuccessful candidates are now attempting to use the city ordinance to accomplish what they

could not accomplish at the ballot box. These shameless attempts to tar public officials without any support should not be encouraged and the complaint should be dismissed expeditiously.

Please feel free to contact me if you have any questions, or I can provide additional information.

Yours very truly,

BUERGER, MOSELEY AND CARSON, PLC

A handwritten signature in blue ink that reads "Jeffrey D. Moseley". The signature is written in a cursive style with a prominent initial "J".

Jeffrey D. Moseley