

ATTORNEYS

Thomas A. Wiseman III*
Gail Vaughn Ashworth**
Byron R. Trauger
Margaret J. Moore
Kimberly G. Silvus
Anthony C. Bills
Bradley M. Dowd ***
Johnson Laney ****
Megan B. Frazier *****
Katie Koss
Dalton T. Darnell
Joe F. Bendekovic

* CERTIFIED AS A CIVIL TRIAL AND
MEDICAL MALPRACTICE SPECIALIST
** TENNESSEE SUPREME COURT
RULE 31, MEDIATOR
*** ALSO LICENSED IN MISSOURI
**** ALSO LICENSED IN GEORGIA
***** ALSO LICENSED IN
ILLINOIS AND KENTUCKY

REPORT OF ETHICS COMPLAINT INVESTIGATION

FROM: Gail Vaughn Ashworth

DATE: May 23, 2025

RE: Investigation of Ethics Complaint Against Commissioner
Rhea Little dated March 31, 2025

BACKGROUND:

An ethics complaint was received by the Interim City Manager on March 31, 2025 alleging a violation of Brentwood Code of Ordinances Article VI, Sec. 2-233(b) by Brentwood City Commissioner Rhea Little, which violation was alleged to have occurred on October 24, 2024.

"Sec. 2-233(b)- Use of position or authority. (b) An official or employee may not use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized in this article or by the Charter, general law, or ordinance or policy of the city. "

The ethics complaint was in writing and signed by the Complainant Rebecca J. Martinez with her address and contact information. The ethics complaint was referred to the board of commissioners pursuant to Article VI, Sec. 2-234(c)(3) of the Brentwood Code of Ordinances.

The board of commissioners met for its regular meeting on April 14, 2025 and as New Business considered the ethics complaint. The Complainant did not appear or speak at the meeting and the ethics complaint was read into the Record. The board of commissioners decided to choose an individual other than the city attorney to act as the ethics officer for purposes of investigation of the ethics complaint.

According to the Minutes of the April 14, 2025 meeting, the Motion made and approved by the board of commissioners on April 14, 2025 specifically stated outside counsel was to be hired to work with the City Attorney, Kristen Corn, so that outside counsel may examine the ethics complaint against Commissioner Rhea Little, review the ethics complaint in its entirety to see if a violation had occurred, and present their findings to the Commission in a future briefing for consideration so that the Commission may decide what next steps it should or could take regarding the March 31, 2025 ethics complaint against Commissioner Rhea Little.

Outside counsel was approved by the Board of Commissioners and retained by City Attorney Kristen Corn on May 8, 2025.

INVESTIGATION:

Article VI, Sec. 2-234(c)(6) provides *"In the course of an investigation, the ethics officer, at his discretion, may hold meetings and conduct interviews in person or by telephone, involving official and employees of the city, as well as other individuals. The ethics officer may also request any information that he believes may be pertinent to the investigation..."*

The investigation consisted of review of the Ethics Complaint and all documents attached to the Ethics Complaint including Exhibit A, Exhibit B-1, Exhibit B-2, Exhibit C, and Exhibit D; in person interviews of Commissioner Rhea Little and the City of Brentwood Technology Department Director Sarah VanWormer; and review of Article VI of the Brentwood Code of Ordinances, the applicable Code at issue.

FINDINGS

Article VI, Sec. 2-234(c)(7) provides: *"At the conclusion of an investigation, the ethics officer may issue written findings and make recommendations for action to end or seek remedies for any activity that, in the ethics officer's judgment, constitutes a violation of this code of ethics.... For an investigation of any other individual, copies of such findings and recommendations shall be provided to the city manager, the board of commissioners and the individual who is the subject of the investigation."*

1. Commissioner Little answered a constituent email on October 24, 2024 and mistakenly "replied all" instead of individually to the constituent as intended. Commissioner Little did not notice when he sent the email response that other commissioners had been copied on the original email and he did not intend to send the email response to anyone other than the constituent. Immediately upon discovering his error, Commissioner Little sought to recall the message, an email feature in Microsoft Outlook available to all users.
2. Commissioner Little contacted the City of Brentwood Technology Director Sarah VanWormer that same day for assistance in using Microsoft Outlook to recall the message, as he was not familiar with how to recall a message but was aware the email feature was available to everyone. The Technology Director or her designee is available 24/7 to all employees and officials of the City of Brentwood for assistance with technology issues.

3. Director VanWormer assisted Commissioner Little as requested and recalled the email message, which email feature then notified the recipients that a message had been removed (from their inbox) by the administrator.
4. The email message at issue was not deleted from the system. The message remains on the system and has not been deleted. There was never any attempt by Commissioner Rhea Little or Technology Director Sarah VanWormer to delete any email message.
5. Commissioner Rhea Little did not violate Article VI, Sec. 233-(b) of the Brentwood Code or Ordinances. He did not *"use or attempt to use his position to secure any privilege or exemption for himself or others that is not authorized in this article or by the Charter, general law, or ordinance or policy of the city."* Using the Microsoft Outlook email recall function to recall a message mistakenly sent to others is a tool all users may use themselves and with the assistance of the Technology Director. The recall function is not a unique privilege or exemption- it is available to all and is further authorized by the policy of the city and the Technology Department personnel who assist employees and officials at all hours of the day or night with technology issues and requests such as the one made by Commissioner Little on October 24, 2024.

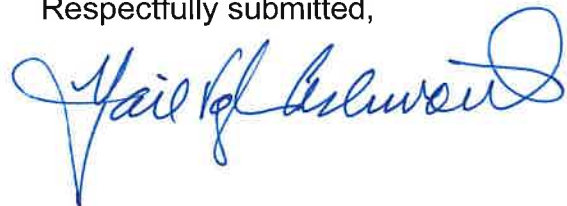
RECOMMENDATION:

Article VI, Sec. 2-226(b) provides as follows:

(b) The interpretation that a reasonable person in the circumstances would apply shall be used in interpreting and enforcing this code of ethics.

As a result of the investigation, and based upon the Findings above, I recommend no action be taken against Commissioner Rhea Little in this matter. The complaint investigation should be closed and the Ethics Complaint dismissed, as there was no violation of Article VI, Sec. 2-233(b).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Yail of Culworn", written in a cursive style.