Exhibits — Combined Review Copy (NOT FOR RELEASE)

November 20, 2026. Public exhibits 1–27 followed by the Privileged Exhibit (Privileged Exhibits 1–6). Page numbers below are pages of this PDF. Personal information, including personal cell phone numbers, home addresses, personal email addresses and the contact columns of meeting sign-in sheets, has been redacted from the public exhibits.

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EXHIBIT 1

Complaint of Alderman Chris Detje, October 9, 2026

Investigative Record

Amber Shaw

From: Chris Detje <cdetje@atokatn.gov>
Sent: Friday, October 9, 2026 7:02 AM
To: Amber Shaw; Atoka Elected Officials
Subject: Ethics investigation.

CAUTION-EXTERNAL MESSAGE

Ms Shaw,

I am formally requesting an investigation into claims raised by citizens of the Town of Atoka regarding the conduct of Alderman John Harber. These claims, which were presented during the recent Board of Mayor and Aldermen meeting, concern alleged actions on Facebook, including the sending of messages of support, the distribution of objectionable images, the removal of posts, and related public online postings.

Ignoring these remarks by our citizens would be irresponsible. A thorough investigation is necessary to address the concerns that have been raised. Additionally, if the claims are found to be unfounded, this process would clear Alderman Harber's name.

I respectfully ask that these allegations be reviewed in accordance with Town policies and applicable law, and that appropriate action be taken if warranted.

Please let me know if any additional information is needed from me to assist in this review.

Respectfully,

Chris Detje

Alderman, Town of Atoka

EXHIBIT 2

Complaint of Krista Scott, October 9, 2026, with her three attached screenshots (the Scott Message, a second message with the recipient cropped, and the June Facebook Post)

Investigative Record

Amber Shaw

From: Krista Scott [redacted]
Sent: Friday, October 9, 2026 8:36 AM
To: Amber Shaw
Subject: Ethics Violation
Attachments: Harber Message.jpg; Harber Message to Bill Scott.jpeg; Amanda Faurbo FB Post.jpeg

CAUTION-EXTERNAL MESSAGE

Ms. Shaw,

I would like to report an ethics violation by Town of Atoka Alderman John Harber.

In June – Alderman John Harber accused the former Town of Atoka planning director (Amanda Faurbo) of lying about the status of the new apartment complex that is being constructed. He made the accusations on the Fans of Atoka Facebook page. He gave the implication the apartments were all Section 8. During a special Town of Atoka Board meeting, the manager of the apartment complex spoke on the record to the entire board and stated the apartments include some Section 8 housing as required by law but are NOT Section 8 housing.

On Friday June 12th the same former Town of Atoka planning director posted on her Facebook page a screenshot of Alderman Harber's accusations on Fans of Atoka and her response. I reacted to her response. No comment. Just a reaction. That night I drove to St. Louis for a weekend with my friends. At 7:30am Saturday June 13th my husband, Atoka Fire Chief Bill Scott, called me – asking me to remove my reaction from the post. Why? Because Alderman Harber sent Chief Scott a message asking me to remove my reaction. I did it. Why? Because Alderman Harber decides whether or not my husband has a job.

I've been a journalist for more than 30 years. So after having my coffee and thinking about it, I did some research. What Alderman John Harbor did is illegal.

Federally – he violated my constitutional rights to free speech.

At the Tennessee state level – by attempting to use my husband's employment status as leverage to silence me, he committed official misconduct under Tennessee Code Annotated 39-16-402. This can be treated as a Class E felony.

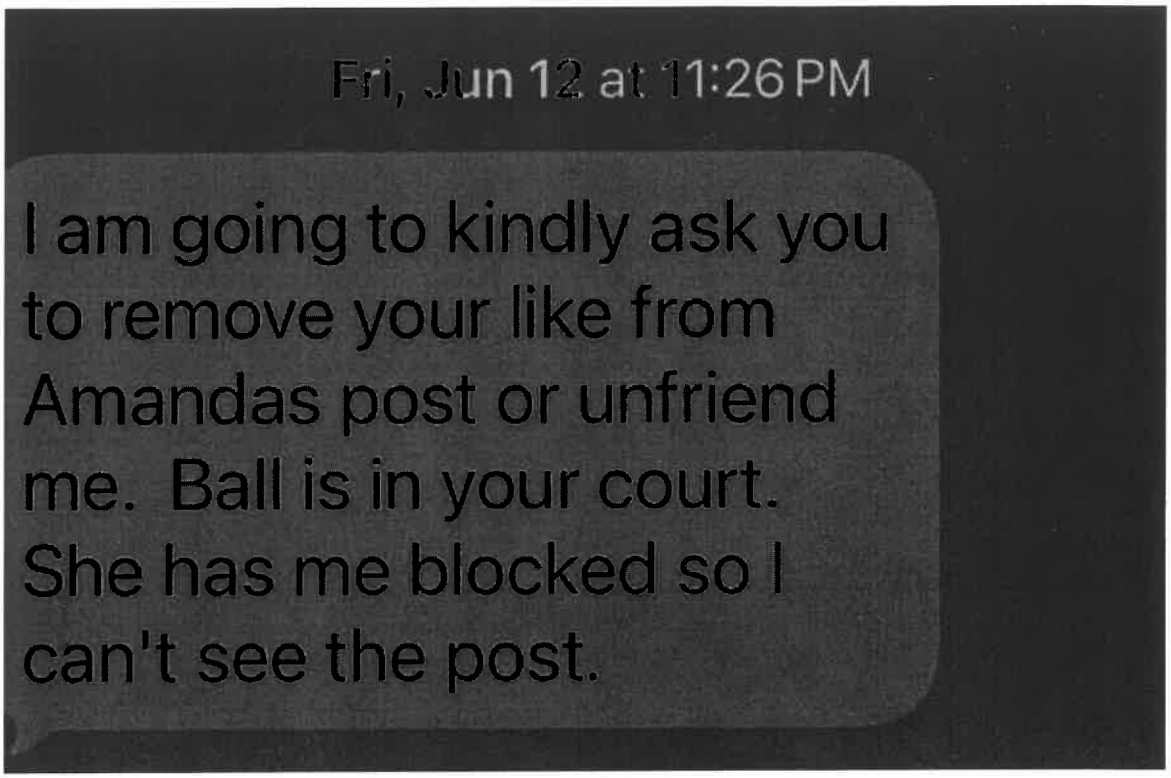
And under Section 12 of the Town of Atoka's legislative charter, individual aldermen are explicitly banned from bypassing the administrative chain of command to issue directives to municipal staff. If an alderman is found in violation, he can be subject to censure by the rest of the Board – and potentially face ouster proceedings.

An attorney says I have grounds to sue.

On Thursday October 8th, I publicly asked Alderman Harber to admit what he did was illegal and apologize.
Alderman Harber did neither of these things but he did admit I was not the only one he sent a message to about the reaction to Faurbo's Facebook post.
While sitting in the Board meeting another person sent me a screenshot of what Alderman Harber sent to them.
I have included the following screenshots: The Messenger message Harber sent to my husband, the messenger message Harber sent to this other person and the Facebook post by Amanda Faurbo that the messages were about.
While I feel it is important for the second message to be included, it is not my place to name that person, so I've cropped the message to eliminate any identifying information.

I am available to answer any questions or clarify my statement if you need additional information.

Thank you,
Krista Scott
[redacted]


Fri, Jun 12 at 11:26 PM
I am going to kindly ask you to remove your like from Amandas post or unfriend me. Ball is in your court. She has me blocked so I can't see the post.

That is a good question that I do not know the answer to. Its never been brought up because annexation convos have been dead for so long



FRI AT 11:31 PM

I am going to kindly ask that your wife remove the like on Amanda's post on Facebook. She has me blocked so I can't defend myself.





New messages and calls are secured with end-to-end encryption. Only people in this chat can read, listen to, or share them. **Learn more**

7:30 AM

S h e is out of town, let me see whats going on and I will have it removed

Done

Delivered 32 minutes ago

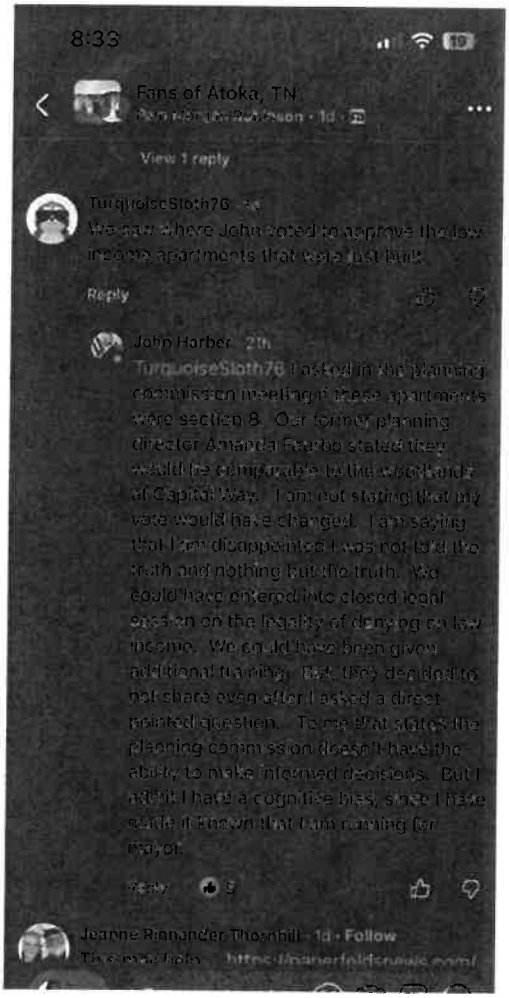
Amanda Marie Faurbo
11h •

Since Fans of Atoka(check who the admin are) will not approve my post there after John Harber making his statement here you go!!

9:02 5G+

Your content

Open record requests are a wonderful thing and they are available for anyone that requests them!!! Famous statement from the candidate: let me take my alderman hat off and put my contractor hat on.
Let's talk about why John Harber did know about the tax credits that were requested! This man has lied many times and it's very sad to me that he is trying to act as if he's a good man!! I left my job with the Town of Atoka solely because of the way he crossed so many ethical lines I could not take it any longer. (when you abstain from a vote, you shouldn't comment at all!!) When I told everyone of my adventure to bring the Atoka Railroad back to life, John was concerned I would not be able to do both, he said many times that my heart for Atoka was to a fault, I was dedicated , devoted to Atoka! I requested a meeting with him to talk out his concerns, what I heard from him is that he did not like nor care for the mayor(because he didn't speak to him at a Christmas program) or town administrator (he never stated exactly why he didn't care for him) I told him he may want to read the Bait of Satan to have peace about it. I truly thought we were fine when he left. Until he went for attack again. The consistent attack on people like Turf Solutions and Infinity but poor Summit being mislead on a project John was the general Contractor for about signage that did not comply with the existing regulations when the regulations were changed while John was a planning commissioner and an alderman sealed my decision!
I truly hope people really look into the character of this man before jumping on a wagon.



Chris Detje and 23 others 15 Comments

EXHIBIT 3

Complaint of Alderman John Harber concerning Mayor Akin, October 10, 2026

Investigative Record

Amber Shaw

From: John Harber <jharber@atokatn.gov>
Sent: Saturday, October 10, 2026 9:54 PM
To: Amber Shaw
Subject: Public-Comment.pdf

CAUTION-EXTERNAL MESSAGE

Public-Comment.pdf https://share.google/UoDx4YTIYMDT2S30A

I believe Mayor Akin has violated resolution 23-07-02 by extending the time limit from 2 minutes to 3 minutes. Section 2 Item B. I would like to formally file an ethics violation complaint. All of the speakers spoke out against me. My concern this was a coordinated attack on me during a heated election season.

John Harber
[redacted]

RESOLUTION NUMBER 23-08-02

A RESOLUTION AMENDING THE POLICY ON THE BROADCASTING OF THE TOWN OF ATOKA PUBLIC MEETINGS AND PUBLIC COMMENT PERIOD.

WHEREAS, the broadcasting of Town of Atoka public meetings would serve the public by allowing them to observe the meetings; and

WHEREAS, with today's modern technology, it is effective to provide live broadcasts for viewing and made available for viewing by the citizens of Atoka; and

WHEREAS, the Town of Atoka is in compliance with all applicable open meeting requirements and the Board of Mayor and Aldermen wish to provide a means of viewing public meetings as a courtesy to the citizens; and

WHEREAS, the Town of Atoka desires to provide a time provision for citizen questions and comments while maintaining an efficient, respectful discourse,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

Section 1. The Town should make reasonable efforts to provide for the broadcast of public meetings. Reasonable efforts should include the following:

A. An email distribution list, consisting of senior staff members and the Board of Mayor and Aldermen, which provides a mechanism for citizens to electronically submit questions. All questions shall be submitted by 5 p.m. the day before the public meeting. Questions submitted after the deadline will be read at the next regularly scheduled meeting.

B. When broadcasting of public meetings occurs, an electronic link would be provided via social media platforms to provide for "live viewing only".

"Live viewing only" shall mean that the electronic link will provide public viewing-only access while the public meeting is in session. Once the public meeting ends, any public viewing of the meeting shall also end.

C. The Town of Atoka can not control any electronic or other technical difficulties before or during the public meeting broadcast that may inhibit the ability for the public to view the meeting.

D. Questions submitted via the electronic distribution list by the deadline will be read verbatim by the Chair of the Board or Commission or their designee.

Section 2. Public meetings should provide a public comment period for members of the public who are attending in-person at the physical meeting location. Virtual participation during the comment period is not permitted.

A. Citizens who desire to speak during the public comment period shall register on the form.

B. The public comment period shall be limited to two (2) minutes per speaker.

C. Speaking time is not permitted to be provided from one speaker who is in attendance to another who is in attendance. Each speaker will speak for themselves during the comment period.

D. If a speaker requests additional time, it may be granted at the discretion of the Chair of the Board or Commission.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 8th day of August 2023.

Barry L. Akin, Mayor

ATTEST:

Deborah Pickard, Town Recorder

EXHIBIT 4

Complaint of Alderman John Harber concerning Mayor Akin, restated October 12, 2026

Investigative Record

Amber Shaw

From: John Harber <jharber@atokatn.gov>
Sent: Monday, October 12, 2026 11:49 AM
To: Barry Akin
Cc: Alderman@townofatoka.com; Marc Woerner; Amber Shaw
Subject: Ethics Complaint Resolution 23-07-02 Section 2, Item B
Attachments: 23.08.02.pdf

CAUTION-EXTERNAL MESSAGE

Mayor Akin and Town of Atoka Officials,

I am writing to formally file an ethics complaint regarding the apparent violation of Resolution 23-07-02, Section 2, Item B, concerning the time limit for public speakers.

My understanding is that the established time limit for speakers is two minutes. During the recent meeting, that limit was extended to three minutes. I am requesting clarification regarding the authority under which this change was made and whether the extension was consistent with the adopted resolution.

I am particularly concerned about the circumstances surrounding this incident. All of the speakers spoke out against me during what has become a heated election season. While I respect every citizen's right to express an opinion, the circumstances raise concerns about whether the meeting procedures were applied consistently and whether the proceedings were used in a coordinated effort to target me personally.

I am not asking that anyone's right to speak be restricted. I am asking that the rules adopted by the Town be followed consistently, fairly, and without favoritism, regardless of the subject being discussed or the individuals involved.

Accordingly, I respectfully request the following:

1. That this correspondence be accepted and formally recorded as an ethics complaint.
2. That the Town review whether the extension of the public comment time from two minutes to three minutes was consistent with Resolution 23-07-02, Section 2, Item B.
3. That the authority and rationale for the time limit extension be documented and made available for public review.
4. That this matter be placed on the agenda for the next Town meeting, whether a regularly scheduled meeting or a special-called meeting, so the concern can be addressed through the appropriate public process.

I believe public trust depends on consistent procedures, transparency, and accountability. These standards are especially important during an election season, when public confidence in local government must be preserved.

Please confirm receipt of this complaint and advise me of the process for its formal consideration.

Respectfully,

John Harber

RESOLUTION NUMBER 23-08-02

A RESOLUTION AMENDING THE POLICY ON THE BROADCASTING OF THE TOWN OF ATOKA PUBLIC MEETINGS AND PUBLIC COMMENT PERIOD.

WHEREAS, the broadcasting of Town of Atoka public meetings would serve the public by allowing them to observe the meetings; and

WHEREAS, with today's modern technology, it is effective to provide live broadcasts for viewing and made available for viewing by the citizens of Atoka; and

WHEREAS, the Town of Atoka is in compliance with all applicable open meeting requirements and the Board of Mayor and Aldermen wish to provide a means of viewing public meetings as a courtesy to the citizens; and

WHEREAS, the Town of Atoka desires to provide a time provision for citizen questions and comments while maintaining an efficient, respectful discourse,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

Section 1. The Town should make reasonable efforts to provide for the broadcast of public meetings. Reasonable efforts should include the following:

A. An email distribution list, consisting of senior staff members and the Board of Mayor and Aldermen, which provides a mechanism for citizens to electronically submit questions. All questions shall be submitted by 5 p.m. the day before the public meeting. Questions submitted after the deadline will be read at the next regularly scheduled meeting.

B. When broadcasting of public meetings occurs, an electronic link would be provided via social media platforms to provide for "live viewing only".

"Live viewing only" shall mean that the electronic link will provide public viewing-only access while the public meeting is in session. Once the public meeting ends, any public viewing of the meeting shall also end.

C. The Town of Atoka can not control any electronic or other technical difficulties before or during the public meeting broadcast that may inhibit the ability for the public to view the meeting.

D. Questions submitted via the electronic distribution list by the deadline will be read verbatim by the Chair of the Board or Commission or their designee.

Section 2. Public meetings should provide a public comment period for members of the public who are attending in-person at the physical meeting location. Virtual participation during the comment period is not permitted.

A. Citizens who desire to speak during the public comment period shall register on the form.

B. The public comment period shall be limited to two (2) minutes per speaker.

C. Speaking time is not permitted to be provided from one speaker who is in attendance to another who is in attendance. Each speaker will speak for themselves during the comment period.

D. If a speaker requests additional time, it may be granted at the discretion of the Chair of the Board or Commission.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 8th day of August 2023.

Barry L. Akin, Mayor

ATTEST:

Deborah Pickard

Deborah Pickard, Town Recorder

EXHIBIT 5

The Skinner Email; Alderman Harber's October 12, 2026 email asking that it be added to his complaint; and his reply to the Town Attorney the same day identifying his two issues

Investigative Record

Amber Shaw

From: John Harber <jharber@atokatn.gov>
Sent: Monday, October 12, 2026 12:38 PM
To: Amber Shaw
Subject: Fw: Citizens response to the 10/8/26 BOA meeting

CAUTION-EXTERNAL MESSAGE

Please add this letter to my Ethics Complaint

John Harber

From: Barry Akin <bakin@atokatn.gov>
Sent: Saturday, October 10, 2026 5:18 PM
To: Alderman@townofatoka.com <alderman@atokatn.gov>
Subject: Fw: Citizens response to the 10/8/26 BOA meeting

Forwarded message for everyone...

Mayor
Town of Atoka

From: Jason [redacted]
Sent: Saturday, 10 October 2026 15:41:30
To: Barry Akin <bakin@atokatn.gov>
Subject: Citizens response to the 10/8/26 BOA meeting

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

As a request, please forward to all current aldermen.

To the Mayor and Board of Aldermen, representing the town of Atoka, TN.

This email serves as notice of the disapproval of actions and comments made during the October 2026 BOA meeting.

I have received numerous calls, emails and text messages from residents in District 4 detailing their concerns and complaints of the lack of control and decorum during the meeting. Allowing residents to speak loudly, almost to the point of yelling, towards a sitting alderman showed a sense of bias considering the timing of the upcoming election. A resident also made it a point to reveal they felt it was no coincidence this particular meeting included an extension of time for public comment.

During the part of the meeting when Alderman Giannini made the motion to require a detailed synopsis of classes and meetings town employees attend, Alderman Detje was completely out of line with his comments before, during and after. It wasn't a good look, especially dealing with taxpayers' money. The mayor lashing out at Alderman Giannini while questioning if he was going to "act like this in Nashville" was unneeded. Not a word was said, much less a look over to Alderman Detje, even though Chris' snide comments about military rank was a huge contributor of the outbursts.

During the public comment portion of the meeting, an Atoka resident and firefighter of a different fire department made it known to me that Captain Stroud directly addressing Alderman Harber in full dress uniform made it look as if he was representing the chief, indirectly. Should a civil servant address the board and mayor, they should as civilians, not as officers or city employees.

In one part of the meeting, the mayor talked about knowledge sharing and collaborating with other local mayors, including retired mayors and even Mayor Parson of Bartlett, TN. Shortly before this, Captain Stroud showed disapproval of Alderman Harber accepting an invitation from a Tipton County Commissioner, who invited ALL of the Aldermen and mayor, to evaluate the Midwest fire engines the county has purchased over the past few years. From what I've gathered in talks, none of the other aldermen and mayor took up the offer. The invitation could have potentially saved taxpayers $300+ thousand and we would have had our new truck already in service.

The meeting was perceived as contrived to discredit a mayoral candidate. It was described to me as one-sided, unprofessional and uncontrolled. We, as citizens of Atoka, deserve and expect to see decorum and respect during meetings. It was embarrassing to say the least.

Moving forward, I respectfully request the mayor and board of aldermen provide our residents a controlled, professional and neutral meeting. No tax-paying citizen deserves to hear the petty comments, snide remarks, or one-sided bias. We're all adults.

Respectfully,

Jason R. Skinner
Tipton County Commissioner, District 4

From: John Harber <jharber@atokatn.gov>
Sent: Monday, October 12, 2026 2:48 PM
To: Amber Shaw
Subject: Re: Citizens response to the 10/8/26 BOA meeting

CAUTION-EXTERNAL MESSAGE

Yes,

Issue #1 Time limits

Separate issue #2. Please investigate whether the "meeting was contrived to discredit a local candidate".

John Harber

EXHIBIT 6

Complaint of Planning Commission Chairman Stephen Shopher, October 13, 2026
(forwarded to the Town Attorney October 14, 2026)

Investigative Record

Amber Shaw

From: Stephen Shopher <sshopher@atokatn.gov>
Sent: Wednesday, October 14, 2026 1:54 PM
To: Amber Shaw
Subject: Fwd: Ethics Violations

CAUTION-EXTERNAL MESSAGE

Please read below

V/R

Stephen Shopher, M.B.A.
Planning Commission - Chair
BZA - Board Member
[redacted] - cell

Begin forwarded message:

From: Stephen Shopher <sshopher@atokatn.gov>
Date: October 13, 2026 at 22:01:16 CDT
To: Marc Woerner <mwoerner@atokatn.gov>
Subject: Ethics Violations

Please forward the following to Mrs. Amber or other attorneys as needed.

Good evening,

I find it in my position to report the following ethical violations.

On the evening of the approval of Kroger expansion being listed on the planning commission I received a phone call from John Harber. He instructed me to call every member of the planning commission to tell them to approve the vote. That "we can't lose Kroger and need to give them whatever they want". I instructed him that I would not make that phone call as it was a violation of law, as was the conversation he was having with me at that time. Upon ending the phone call I called the State of Tennessee Comptroller's office to report the incident. Never heard any response back.

I have also been contacted on several occasions of alderman Giananni, Harber, Lightsey, and Poole going to Dairy Queen or McDonald's immediately following board meetings and that conversations were heard of their discussions on voting matters. Comptrollers office was called - never heard anything back. When discussed with some alderman I was told "Who cares? It doesn't matter and there are no consequences of it. Just announce what you spoke about at a meeting so it's not a big deal."

I'm discouraged from calling because of numerous issues I've seen since being involved with local politics and yet, nothing happens.

My cell phone is listed below if any further discussion is needed.

V/R

Stephen Shopher, M.B.A.
Planning Commission - Chair
BZA - Board Member
[redacted] - cell

EXHIBIT 7

Signed minutes of the Board's special called meeting, October 13, 2026

Investigative Record

Town of ATOKA

Town of Atoka Board of Mayor and Aldermen
Special Called Meeting
October 13, 2026, 6:15 p.m.

The invocation was led by Mayor Akin. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Akin at 6:33 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:
Present: Mayor Barry Akin, Aldermen Chris Detje, Brett Giannini, John Harber, Jeremy Lightsey, Chris Schaeffer and Jessie Poole.

Also present: Town Recorder Rachel Covarrubias, Town Administrator Marc Woerner, Town Attorney Amber Shaw and attached list.

Absent: None

Public Comment:

1. Chris Detje addressed the comments that he made regarding Alderman Giannini's military service and apologized for the comments made.
2. Pam Givens inquired if information would be given regarding the special called meeting.
3. Kim Hodge stated that both candidates are capable of being mayor for Atoka. Ms. Hodge stated that the election is turning into a popularity contest.
4. Roger McMullen stated last week's meeting seemed to be an attack on Alderman Harber.
5. Henry Suter supported aldermen questioning proposed expenses, particularly where taxpayer costs and property taxes are involved. Mr. Sutter also stated public questioning can communicate both the issue and its answer to residents.

Old Business: None

New Business:
Approve Town Attorney request to hire outside counsel to conduct ethics investigation pursuant to Atoka Code, Chapter 4, 1-410 – Town Attorney Amber Shaw reviewed Atoka Code, Chapter 4, 1-410 and stated that pursuant to the code she had received written request on October 10, 2026, to conduct an ethics investigation regarding John Harber on the accusations made by Krista Scott and Brook Taylor. Alderman Harber made a motion to approve to retain Rachel Simmons as outside counsel for any ethics complaints received. Alderman Poole seconded the motion. Roll call: Poole-yes, Schaeffer-yes, Giannini-yes, Harber-abstain, Detje-yes, Lightsey-yes. Motion carried.

Alderman Poole made a motion to adjourn the meeting. Alderman Schaeffer seconded the motion. Meeting ended at 7:00 p.m.

Barry L. Akin, Mayor

Rachel Covarrubias, Town Recorder

EXHIBIT 8

Alderman Harber's email of November 10, 2026, stating that he had retained counsel and was declining further participation (with the forwarded email from his counsel)

Investigative Record

Outlook

Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

From John Harber <jharber@atokatn.gov>
Date Tue 11/10/2026 1:55 PM
To Rachel Simmons <rachel@owtnlaw.com>

Rachel,

I have officially hired David Pickler as counsel. We are declining any further participation in this investigation.

Thank you,

John Harber
[redacted] Cell
https://www.atokatn.gov/

From: David Pickler <dpickler@picklerwealthadvisors.com>
Sent: Tuesday, November 10, 2026 12:27:24 PM
To: John Harber <jharber@atokatn.gov>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Call me

David A. Pickler, J.D., CFP®, ChFC®, CDFA®
President
Pickler Wealth Advisors
Pickler Law

1135 Halle Park Circle, Collierville, TN 38017
Phone: (901) 316-0160 | Fax: (901) 316-0155
dpickler@picklerwealthadvisors.com
www.picklerwealthadvisors.com
www.picklerlaw.com

Memphis Most Best Law Firm 2019,2020,2021,2022,2023

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From: John Harber <jharber@atokatn.gov>
Sent: Tuesday, 10 November 2026 11:32:40
To: David Pickler <dpickler@picklerwealthadvisors.com>
Subject: Fw: Town of Atoka ethics investigation, notice of allegations and request to speak with you

See the attached information from the attorney completing the ethics investigation. Let me know if we should meet? And / or if I should meet with her?

Thank you,

John Harber
[redacted]

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Friday, November 6, 2026 6:33 PM
To: John Harber <jharber@atokatn.gov>
Subject: Town of Atoka ethics investigation, notice of allegations and request to speak with you

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Dear Alderman Harber:

I am Rachel Simmons, an attorney in Covington. As you are aware, the Town of Atoka's Board of Mayor and Aldermen appointed me as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have reviewed the complaints, the Board's meetings and minutes, the relevant correspondence and records, and Atoka's Charter and Code of Ethics.

The complaints concerning you are summarized as follows:

1. On October 9, 2026, Alderman Chris Detje asked the Town Attorney to investigate claims raised by citizens at the October 8 Board meeting concerning your conduct. Specifically, actions on social media, sending messages of support, distribution of objectionable images and posts, the removal of posts, and related public online postings.
2. Also on October 9, 2026, Krista Scott submitted a written complaint alleging that on the night of Friday, June 12, 2026, you sent a message to her husband, Atoka Fire Chief Bill Scott, asking that she remove a reaction to a Facebook post. She alleges that in doing so you bypassed the administrative chain of command and used her husband's employment as leverage. She cites alleged violations of Tenn. Code Ann. § 39-16-402 and Section 12 of the Town Charter.
3. On October 13, 2026, Planning Commission Chairman Stephen Shopher reported two matters to the Town Administrator, which were forwarded to the Town Attorney the following day and provided to me for this investigation. He alleges that on the evening the Kroger expansion was on the Planning Commission agenda, you called him and told him to call every member of the Commission and “tell them to approve the vote,”

saying “we can’t lose Kroger and need to give them whatever they want.” He states that he refused and told you he considered both the call and your instruction to him unlawful. He also states that afterward he reported the call to the Tennessee Comptroller’s office.

Mr. Shopher’s second allegation does not concern you alone. I will refer it to the Board to determine whether it falls within the scope of my engagement. If it does, you will receive subsequent notice of it and an opportunity to respond.

Copies of the written complaints concerning you are attached to this email. You are entitled to respond in writing, to provide documents, and to identify witnesses you believe I should speak with. To complete the investigation, I would also like to speak with you directly.

Your participation is voluntary. You are not obligated to speak with me, and no adverse inference will be drawn if you decline. If you are represented by an attorney in connection with this matter, please tell me and I will arrange any contact through your counsel rather than with you directly.

In the interview, I will have questions about each complaint. I will also ask you about the messages to Atoka Industrial Development Board member Brook Taylor and about your subsequent inquiry into her residency, both of which arise from the same record. I will also have questions about the two separate complaints you filed concerning Mayor Barry Akin.

Nothing stated above is a finding. These are the allegations as they were made, and you are entitled to respond to them.

If you are willing, can we speak sometime this Sunday afternoon or evening? Please let me know what time works best for you. I am also glad to meet by Zoom if you would prefer. If you are not available this Sunday, please let me know when you are available to speak with me on Monday November 9.

I will take contemporaneous notes during our conversation, and my report will be provided to the Board of Mayor and Aldermen and may become a public record.

Thank you for your time, and I look forward to your response.

Kindest Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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EXHIBIT 9

Signed minutes of the Board's regular meeting, October 8, 2026

Investigative Record

Town of ATOKA

Town of Atoka Board of Mayor and Aldermen
Regular Monthly Meeting
October 8, 2026, 6:30 p.m.

The invocation was led by Pastor Freeman Weems of 1st Baptist Church Atoka. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Akin at 6:37 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:
Present: Mayor Barry Akin, Aldermen Chris Detje, Brett Giannini, John Harber, Jeremy Lightsey, Chris Schaeffer and Jessie Poole.

Also present: Town Administrator Marc Woerner, Planning Clerk Carla Grisham, Town Attorney Amber Shaw, Police Chief Anthony Rudolph, Fire Chief Bill Scott, Parks Director Dorothy Isbell, Public Works Director Wesley Yarbrough and attached list.

Absent: None

Public Comment:

1. Andrew Stroud addressed the questioning of Alderman Harber regarding the fire apparatus purchase. Mr. Stroud reviewed the amount of time and resources that went into the process of bringing the requested fire apparatus to the board for approval. Mr. Stroud stated that Alderman Harber has reached out and a meeting is scheduled on October 19th.

2. Amanda Faurbo, Vice President of Keep Tipton County Beautiful encouraged community engagement to partner with Atoka Railroad to clean up Main St. starting at 8 a.m. on November 2nd. The annual Tipton County clean-up is on November 7th meeting at the Tipton County Landfill starting at 7:30 a.m.

3. Krista Scott addressed Alderman Harber about requesting her to remove a reaction she made on social media and being asked to remove it.

4. Juanita Ayers spoke in support of the Town Administrator. Mrs. Ayers stated that staff can professionally disagree with Mr. Woerner and not fear retaliation. She described Mr. Woerner as professional, capable and courageous.

5. Wanda Bates stated that early voting begins October 14th and runs until October 29th, the hours are Monday-Friday 9 a.m. to 5p.m. and Saturday 9 a.m. to 2 p.m. Ms. Bates asked residents to please treat the election workers respectfully.

6. Brook Taylor stated that Alderman Harber's comments during the candidate forum sounded like criticism of the Industrial Development Board (IDB). Ms. Taylor also stated she received social media messages from Alderman Harber including images that she found to be offensive.

Consent Agenda – Exhibits A through Exhibit I – Alderman Poole made a motion to approve the consent agenda as presented. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Resolution 26-10-01 – Accepting of Hazard Mitigation Grant – Early Warning Sirens – Exhibit B – Alderman Poole made a motion in the consent agenda to approve. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Resolution 26-10-02 – Accepting Assistance to Firefighters Grant – SCBA Units – Exhibit C – Alderman Poole made a motion in the consent agenda to approve. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Old Business: None

New Business:
Employee Recognition – Years of Service – Mayor Akin recognized the following employees for their years of service and dedication to the Town of Atoka. Fire Lt. Donny Phillips – 5 years, Firefighter Hayden Kirkdoffer – 5 years, Firefighter Tony Cavallo – 5 years, Public Works Director Wesley Yarbrough – 15 years, Police Corporal Lydia Hubbard – 5 years, Court Clerk Kristen Doty – 15 years and Police Lt. James "JR" Strickland – 20 years.

Bid Award – Concrete Project Station #2 – Exhibit J – Alderman Poole made a motion to award the bid to Bluff City Construction in the amount of $39,773. Alderman Detje seconded the motion. All in favor. Motion carried.

Ordinances and Resolutions:

1. **Ordinance – First Consideration - Rezoning – Exhibit K –** The Board had no objection to the ordinance being read by title only. Town Recorder read the ordinance by title only. Alderman Giannini made a motion to approve the ordinance on first consideration. Alderman Lightsey seconded the motion. Roll call: Schaeffer-yes, Giannini-yes, Harber-abstain due to potential conflict of interest, Detje-yes, Lightsey-yes, Poole-left early. Motion carried.

Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator

1. **Addressing expert fees in the Walker matter –** Alderman Giannini made a motion to approve payment to Gladys Walker regarding Van Boals expert fees. Alderman Schaeffer seconded the motion. All in favor. Motion carried.

2. Mayor Akin advised that Alderman Poole was under the weather and left early.

3. **Town Administrator –** Alderman Giannini made a motion to accept the letter from Town Administrator's attorney as a resignation letter effective immediately. Alderman Lightsey seconded the motion. Administrator Woerner stated that there is no resignation letter and he is not resigning.

4. **Conferences and Seminars –** Alderman Giannini made a motion for information regarding conferences be added to the weekly update. Alderman Lightsey seconded the motion. Roll call: Schaeffer-yes, Giannini-yes, Harber-yes, Detje-no, Lightsey-yes. Motion carried. Administrator Woerner stated the conference information has been included in the weekly admin report.

Alderman Detje made a motion to recess the meeting to enter legal session. Alderman Lightsey seconded the motion. All in favor. Meeting recessed at 8:06 p.m. The meeting resumed at 8:51 p.m.

Town of ATOKA

1. Alderman Giannini withdrew his motion regarding the Town Administrator resignation.

2. Alderman Schaeffer made a motion to postpone the Town Administrator discussion to the next board meeting. Alderman Giannini seconded the motion. All in favor. Motion carried.

3. Alderman Detje made a motion to permit the Town Attorney to continue negotiations between the Town Administrator and Town of Atoka. Alderman Harber seconded the motion. All in favor. Motion carried.

4. Alderman Detje made a motion authorizing Town Attorney to hire outside representation for an investigation into a possible ethics violation. No second was made. Motion died.

5. Mayor Akin stated that Autumn in Atoka was cancelled due to the potential of weather. The Fire Department will be holding Family Day at Fire Station #1 from 9 a.m. to 11 a.m.

Alderman Harber made a motion to adjourn the meeting. Alderman Schaeffer seconded the motion. Meeting ended at 8:54 p.m.

Barry L. Akin, Mayor

Rachel Covarrubias, Town Recorder

EXHIBIT 10

The Scott Message, as provided by Alderman Harber to the Town Attorney on October 9, 2026

Investigative Record





JUN 12 AT 11:31 PM

I am going to kindly ask that your wife remove the like on Amanda's post on Facebook. She has me blocked so I can't defend myself.

New messages and calls are secured with end-to-end encryption. Only people in this chat can read, listen to, or share them. **Learn more**

JUN 13 AT 7:30 AM



S h e is out of town, let me see whats going on and I will have it removed



Done

JUN 13 AT 8:35 AM

Thank you.

JUN 13 AT 8:48 AM



You're welcome





EXHIBIT 11

The Detje Text: Alderman Detje's screenshot, provided November 12, 2026

Investigative Record

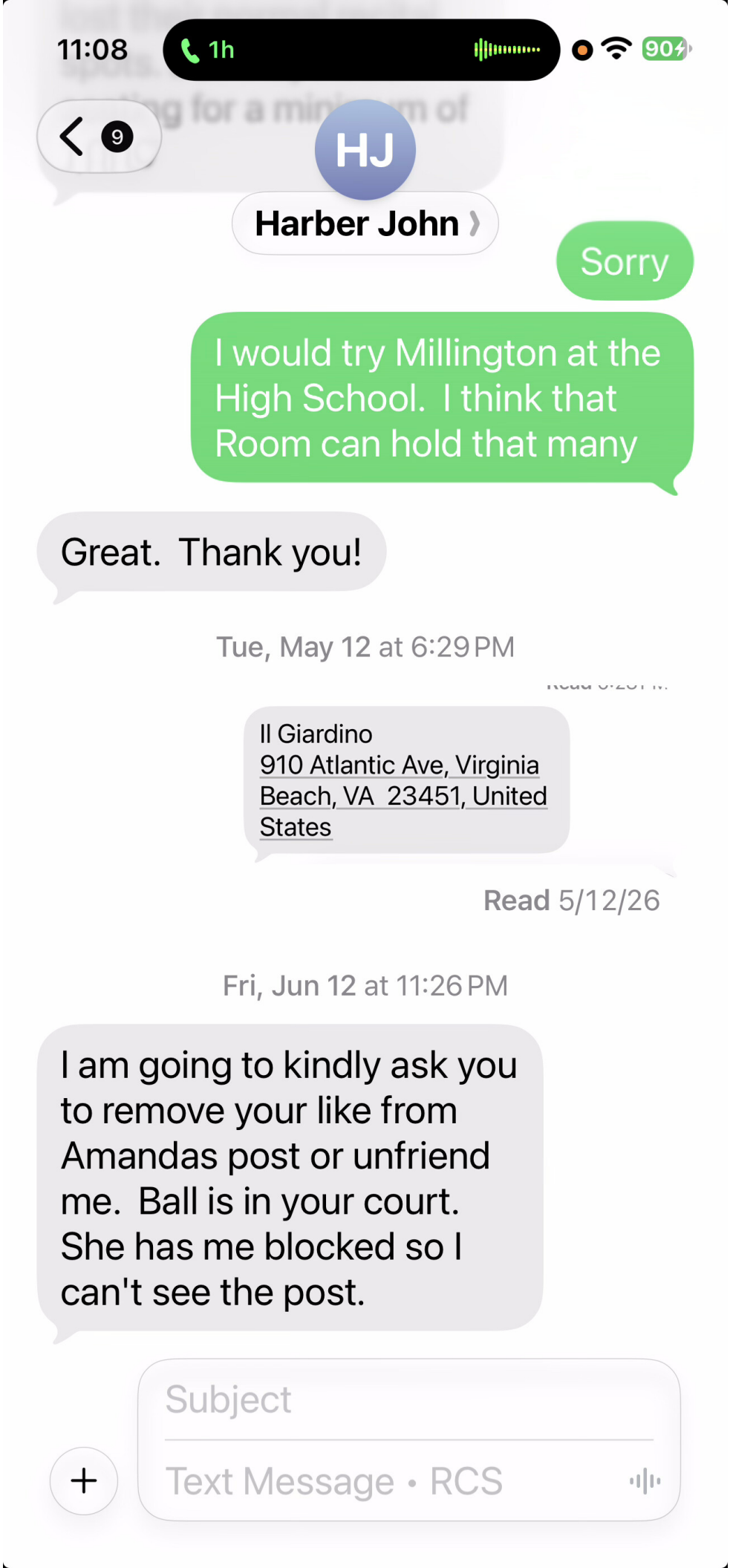

11:08
1h
9
HJ
Harber John
Sorry
I would try Millington at the High School. I think that Room can hold that many
Great. Thank you!
Tue, May 12 at 6:29 PM
Il Giardino
910 Atlantic Ave, Virginia Beach, VA 23451, United States
Read 5/12/26
Fri, Jun 12 at 11:26 PM
I am going to kindly ask you to remove your like from Amandas post or unfriend me. Ball is in your court. She has me blocked so I can't see the post.
Subject
Text Message • RCS

EXHIBIT 12

The Taylor Message as Ms. Taylor received it on October 7, 2026: Alderman Harber's typed message, with the six images covered as a message request (screenshots provided by Ms. Taylor). The images themselves are in the Privileged Exhibit.

Investigative Record

Note: The message appears as an unaccepted message request, with the images covered, because the two were not connected on Facebook when Ms. Taylor captured it.

10:03

John Harber

OCT 7 AT 7:17 PM

I will say that I dislike you were put in the IDB cross fire. You were appointed after my frustration with the hiring of Terry Roland. I made a public plea in an IDB meeting to not hire him. However that fell on deaf ears. He was awarded a $40k contract with no other bidders. And our chairman Jim Craig is chairman of deacons for Cary Vaughn. I am going to share some of the public social media posts pulled from Rolands page. After my plea to the IDB he threatened to sue me. After the threat of lawsuit, last year's budget to the IDB was transferred to town savings. And this year the IDB was not funded at all. Let me know if you'd like to meet and discuss things further.

Images sent in message requests are covered.

Tap to see blurred image

Images s
message requests

If you accept, John will be able to call you and may see info like your Active Status and when you've read messages. **Choose who can message you**

Block | Delete | Accept

10:03

John Harber

Images sent in message requests are covered.

Tap to see blurred image

Images sent in message requests are covered.

Tap to see blurred image

Images sent in message requests are covered.

Tap to see blurred image



Images sent in message requests are covered.

Tap to see blurred image

Images sent in

If you accept, John will be able to call you and may see info like your Active Status and when you've read messages. **Choose who can message you**

Block | Delete | Accept

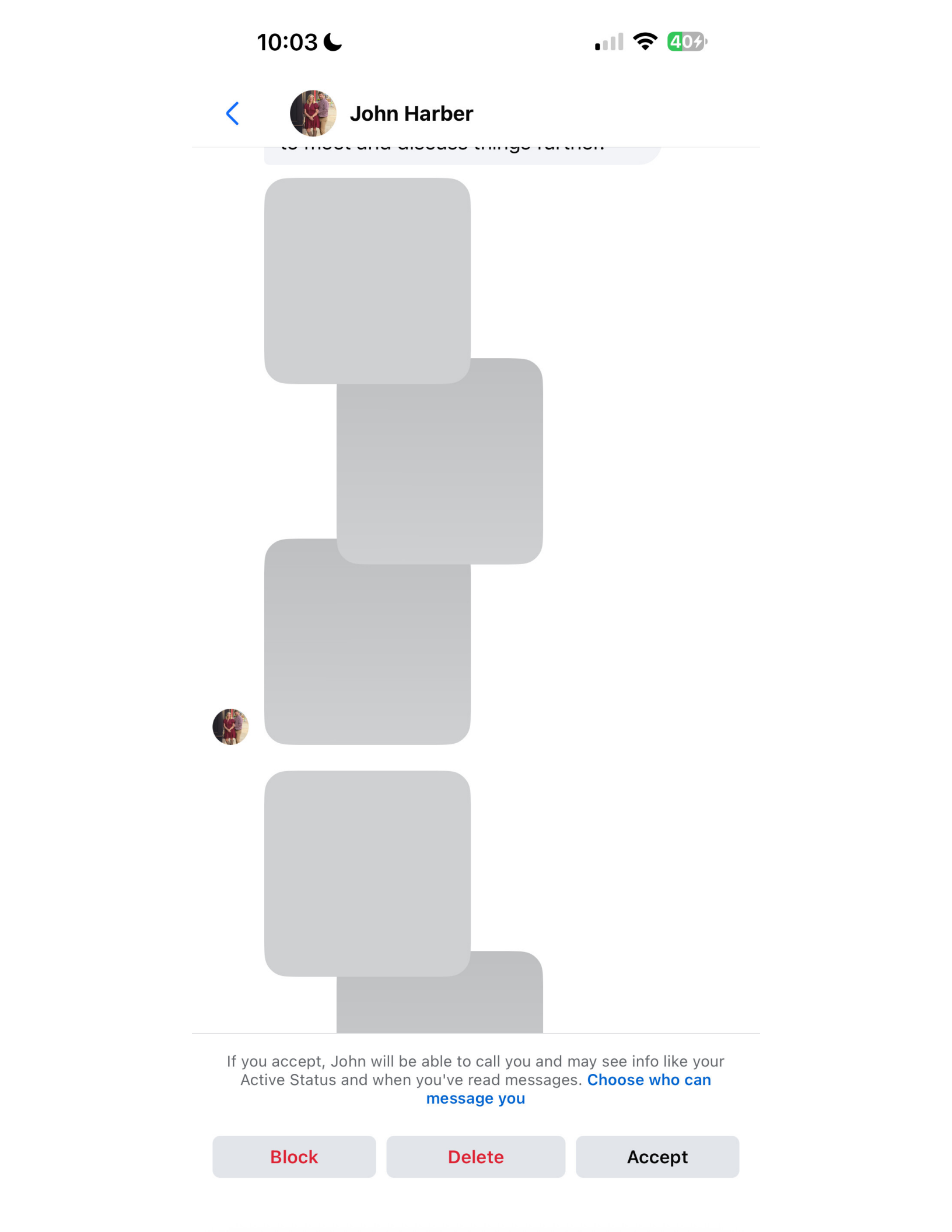
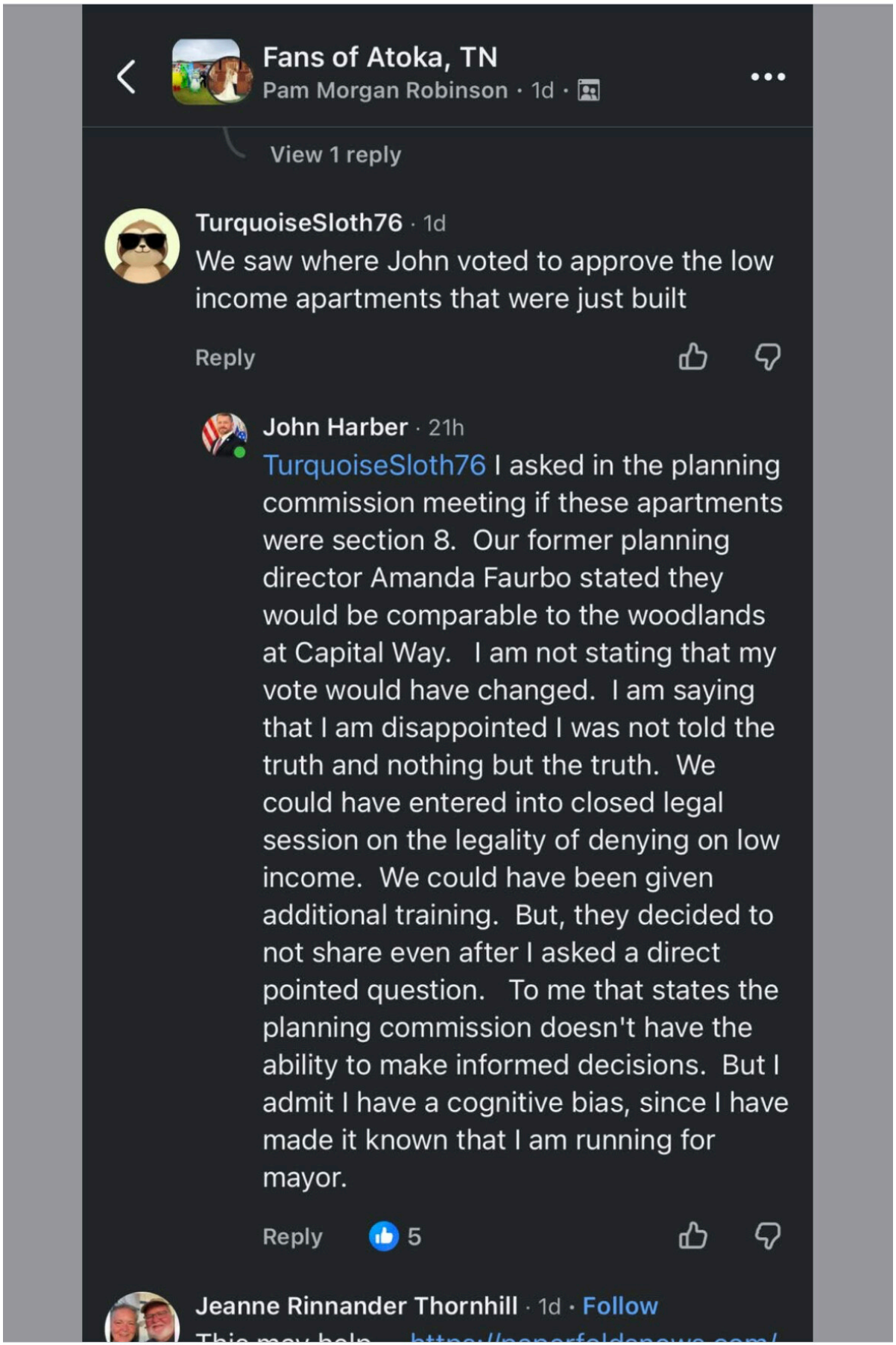

10:03
John Harber
If you accept, John will be able to call you and may see info like your Active Status and when you've read messages. Choose who can message you
Block
Delete
Accept

EXHIBIT 13

The June Facebook Post: Alderman Harber's comment and Ms. Faurbo's June 12, 2026 post

Investigative Record


Fans of Atoka, TN
Pam Morgan Robinson · 1d ·
View 1 reply
TurquoiseSloth76 · 1d
We saw where John voted to approve the low income apartments that were just built
Reply
John Harber · 21h
TurquoiseSloth76 I asked in the planning commission meeting if these apartments were section 8. Our former planning director Amanda Faurbo stated they would be comparable to the woodlands at Capital Way. I am not stating that my vote would have changed. I am saying that I am disappointed I was not told the truth and nothing but the truth. We could have entered into closed legal session on the legality of denying on low income. We could have been given additional training. But, they decided to not share even after I asked a direct pointed question. To me that states the planning commission doesn't have the ability to make informed decisions. But I admit I have a cognitive bias, since I have made it known that I am running for mayor.
Reply
5
Jeanne Rinnander Thornhill · 1d · Follow



Amanda Marie Faurbo · Follow

Jun 12 ·

Open record requests are a wonderful thing and they are available for anyone that requests them!!! Famous statement from the candidate: let me take my alderman hat off and put my contractor hat on.
Let's talk about why John Harber did know about the tax credits that were requested! This man has lied many times and it's very sad to me that he is trying to act as if he's a good man!! I left my job with the Town of Atoka solely because of the way he crossed so many ethical lines I could not take it any longer. (when you abstain from a vote, you shouldn't comment at all!!) When I told everyone of my adventure to bring the Atoka Railroad back to life, John was concerned I would not be able to do both, he said many times that my heart for Atoka was to a fault, I was dedicated , devoted to Atoka! I requested a meeting with him to talk out his concerns, what I heard from him is that he did not like nor care for the mayor(because he didn't speak to him at a Christmas program) or town administrator (he never stated exactly why he didn't care for him) I told him he may want to read the Bait of Satan to have peace about it. I truly thought we were fine when he left. Until he went for attack again. The consistent attack on people like Turf Solutions and Infinity but poor Summit being mislead on a project John was the general Contractor for about signage that did not comply with the

9:41

Amanda Marie Faurbo · Follow
Jun 12 ·

consistent attack on people like Turf Solutions and Infinity but poor Summit being mislead on a project John was the general Contractor for about signage that did not comply with the existing regulations when the regulations were changed while John was a planning commissioner and an alderman sealed my decision!
I truly hope people really look into the character of this man before jumping on a wagon.

Since Fans of Atoka(check who the admin are) will not approve my post there after John Harber making his statement here you go!!

34 22 4

Most relevant

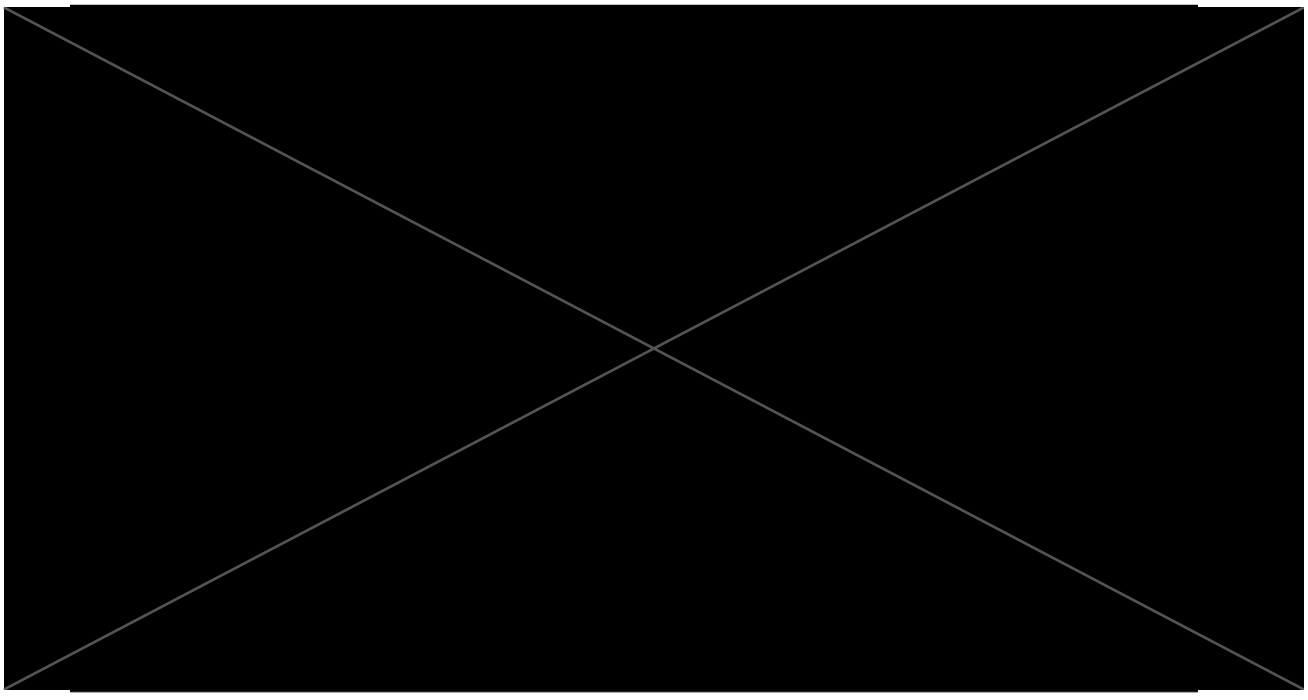


EXHIBIT 14

Alderman Harber's comments, November 2026, on the Paper Folds News Facebook post

Investigative Record

John Harber · 19h

Lynda, I agree that the content is objectionable. Unfortunately, Meta/ Facebook allows this type of content to be posted. In this particular situation, the posts were published on Facebook by a vendor representing the Town of Atoka. I shared the information privately, out of concern for our citizens, with a new IDB board member who was previously unaware of it.

My concern isn't simply that this type of content exists. People are free to post what they choose within the platform's guidelines. My concern is that it was publicly published by someone representing our town.

What I find particularly difficult to understand is why the citizen's frustration appears to have been directed more toward me for bringing the matter forward privately than toward the original source of the posts.

I believe it's reasonable to expect those representing the Town of Atoka, whether directly or through a contracted vendor,

shared the information privately, out of concern for our citizens, with a new IDB board member who was previously unaware of it.

My concern isn't simply that this type of content exists. People are free to post what they choose within the platform's guidelines. My concern is that it was publicly published by someone representing our town.

What I find particularly difficult to understand is why the citizen's frustration appears to have been directed more toward me for bringing the matter forward privately than toward the original source of the posts.

I believe it's reasonable to expect those representing the Town of Atoka, whether directly or through a contracted vendor, to exercise good judgment and understand that their public communications can reflect on the community as a whole.

Reply 3

John Harber · 6h

I believe it's reasonable to expect those representing the Town of Atoka, whether directly or through a contracted vendor, to exercise good judgment and understand that their public communications can reflect on the community as a whole.

Reply 3



John Harber · 6h

Bryton Martin I understand your point, but there is more to this situation than what is being presented in a Facebook comment.

After eight years of public service, I've learned that context matters, and so does discretion. I shared my concerns privately with a newly elected board member who was unaware of the situation. My intent was to make them aware, not to encourage or participate in inappropriate conduct.

I also believe it's important that we avoid turning public disagreements into personal attacks. Given that there are pending legal m... See more

Paper Folds News
1d ·

What I find particularly difficult to understand is why the citizen's frustration appears to have been directed more toward me for bringing the matter forward privately than toward... See more

Reply 3

Bryton Martin · 1d
John Harber probably because you could have told said member that you should probably check out Terry Roland's Facebook page and all of the inappropriate posts he makes. Instead of sending the same inappropriate posts. 🤷‍♀️

Reply 1

Bryton Martin I understand your point, but there is more to this situation than what is being presented in a Facebook comment.

After eight years of public service, I've learned that context matters, and so does discretion. I shared my concerns privately with a newly elected board member who was unaware of the situation. My intent was to make them aware, not to encourage or participate in inappropriate conduct.

I also believe it's important that we avoid turning public disagreements into personal attacks. Given that there are pending legal matters, I am not going to discuss individuals or specific details publicly.

I'm comfortable standing behind my actions, and I believe public service requires accountability, professionalism, and the ability to have difficult conversations without making everything personal.

Reply

Amanda Warren · 17h
Lynda Locke who did that??

Reply

Sandy Styer · 21h
He is mad that the truth came out!!!

Reply 3

John Harber · 6h
Sandy Styer After eight years serving as an Alderman, you learn something about leadership: there will always be Monday morning quarterbacks.

It's easy to sit on the sidelines, second-guess decisions, criticize outcomes, and explain what someone else should have done. It's a different thing altogether to step up, take responsibility, make difficult decisions, and put your name behind them.

Public service isn't about making everyone happy. It's about listening, weighing the information available, making the best decision you can, and accepting accountability for the outcome.... See more

accepting accountability for the outcome.

I've learned that not everyone will agree with every decision, and that's okay. But criticism is always easier when you're not the one carrying the responsibility.

Eight years taught me a lot about leadership, patience, perspective, and the importance of staying grounded in your convictions.

I'd rather be someone willing to step up and serve than someone who only shows up Monday morning to explain how they would have done it differently.

Reply 2

Connie Bradshaw · 21h
Sandy Styer what happened

Reply

Christy Harrell · 1d
There is absolutely a look of “sweeping it under the rug”the town attorney wanted to blast out Mr. Harber for violations knowing good and well that there were violations against Mr Akin at the time of the meeting. But

EXHIBIT 15

The January 2026 Emails: Alderman Harber's emails of January 16, January 17 and January 30, 2026

Historical Record

From: John Harber <jharber@atokatn.gov>
Sent: Friday, January 16, 2026 10:22 PM
To: Atoka Elected Officials <AtokaElected@townofatoka.com>
Cc: Marc Woerner <mwoerner@atokatn.gov>; Amber Shaw <ashaw@harrisshelton.com>; IDB Board <IDB@townofatoka.com>
Subject: Terry Roland Breach of Atoka IDB and EDA contract

CAUTION-EXTERNAL MESSAGE

First I do need to apologize. My previous email stated it would be the last email. But a friend just sent me these photos. Terry Roland has me blocked on Facebook. But I have a few friends that are checking on my behalf.

Please see the attached "Public" Facebook pictures on Terry Rolands page. I would like to make a formal complaint that he has broken article 34: Code of Conduct in the IDB contract. I formally ask the Atoka IDB cancel the contract based on the contract violations.

Sincerely,

John Harber

From: John Harber <jharber@atokatn.gov>
Sent: Saturday, January 17, 2026 3:36 PM
To: Atoka Elected Officials <AtokaElected@townofatoka.com>; IDB Board <IDB@townofatoka.com>
Cc: Amber Shaw <ashaw@harrisshelton.com>; Marc Woerner <mwoerner@atokatn.gov>
Subject: Terry Roland Breach of contract #2

CAUTION-EXTERNAL MESSAGE

Elected officials & IDB, this is who is now officially representing Atoka and being paid $40,000 in a taxpayer funded loan.

Sick to my stomach. We are better than this,

John Harber

From: John Harber <jharber@atokatn.gov>
Sent: Friday, January 30, 2026 11:40 PM
To: [redacted] <[redacted]>
Cc: [redacted] <[redacted]>; [redacted] <[redacted]>; [redacted] <[redacted]>
Subject: Terry Roland

Ladies & Gentlemen. I am reaching out to you due to your partnership with Economic Development Advisors. I pulled your contact information on the following website page:

https://youreda.com/contact-page

EDA has recently signed a contract with the Atoka Industrial Development Board. As an alderman of Atoka, I have concerns regarding Terry Roland after viewing his social media page. I am 100% for free speech. But his political division is so loud, I am worried it could deter prospective business owners that are on the opposite side of the political spectrum.

As fellow members of EDA can you reassure me before the Board of Mayor and Alderman meets with the IDB next week? Also, is this topic covered in your https://youreda.com/training Ethics training?

With concerns,

John Harber

EXHIBIT 16

Industrial Development Board records on the Town's $100,000 appropriation to the IDB and the IDB's retention of EDA: IDB minutes of January 16, 2025; IDB bank statement, February 2025, showing the $100,000 deposit; IDB minutes of June 18, 2025, October 28, 2025 (called meeting), November 20, 2025 and August 20, 2026

Historical Record

Town Hall
334 Atoka-Munford Avenue
Thursday, January 16, 2024
4:30 p.m.

Industrial Development Board of the Town of Atoka

Meeting Minutes

I. Jimmy Craig, Chair conducted the invocation, the pledge of allegiance was opened prior to the meeting. Jimmy Craig opened the meeting at 4:38 p.m. and requested a roll call. A quorum was established.

II. **The Industrial Development Board of the Town of Atoka met with the following members present:**

Jimmy Craig	Bobby Chapman	Matt Cox	Deanna Webb
Chris Schaffer	Ken Larkin		

Absent: Daryl Walker Harry Sinis
Also Attending: Amanda Faurbo, Dexter Muller and the attached sign in sheet.

III. **Public Comment-** None

IV. **Minutes** - Approval of December 19, 2024, Minutes. Matt Cox made a motion to approve the minutes as presented. Deanna Webb seconded the motion. All approved. Motion Carried.

V. **Reports-** Treasurer, Bobby Chapman presented the financial report for December. Amanda Faurbo advised the board that the funds allocated to the Board during budget adoption was transferred. Deanna Webb made a motion to accept the report as presented. Matt Cox seconded the motion. All Approved. Motion Carried.

VI. **Old Business** – Amanda Faurbo gave an update on the failed property donation to the Industrial Development Board. No Motion was needed.

VII. **New Business –**

1. Presentation from Jon Crisp regarding a new company that he is in partnership with. He advised the board what the company could assist the IDB with regarding the much-needed Walker Parkway extension.

VIII. **Miscellaneous Items from the Chairman, Board Members, Attorney**

IX. **Adjourn:** Bobby Chapman made a motion to adjourn the meeting. Matt Cox seconded. The meeting was adjourned at 5:05 p.m.

_____ _____

Jimmy Craig, Chairman Deanna Webb, Secretary

INDUSTRIAL DEVELOPMENT BOARD MEETING

January 16, 2025, 4:30 pm

PLEASE SIGN IN

Name	Address	Phone #
John Harber	[redacted]	
WALKER ADAMS		
Deanna Webb		
Matt Cox		
Bobby Chapman		
Rhonda O'Dell		
Dexter Muller		
MARC WOERNER		
Amanda Faurbo		
Chris Schaeffer		
Jon Crisp		
Jim Craig		
LEN LARKINS		

FIRST CITIZENS NATIONAL BANK
MEMBER FDIC
P.O. Box 370 • Dyersburg TN 38025-0370
www.FirstCNB.com

Return Service Requested

00000937-0002803-0001-0002-FIMR8004070220250321

RECEIVED
FEB 27 2025
BY:

INDUSTRIAL DEVELOPMENT BOARD OF THE
TOWN OF ATOKA TENNESSEE
334 ATOKA MUNFORD AVE
ATOKA TN 38004

WALL STREET CHECKING
Account Number: XXXXXX6740
Statement Date: 2/20/25
Branch: 013
Checks/Items Enclosed: 1

00000937-0002803-0001-0002-FIMR8004070220250321(00000937)-000002805

WELCOME HOME GRANT FUNDS
Up to $20,000 available 3.3.2025
to assist with down payment and closing costs.
To prequalify, apply at www.FirstCNB.com/Mortgage.
Equal Housing Lender

CHECKING — INDUSTRIAL DEVELOPMENT BOARD OF THE TOWN OF ATOKA TENNESSEE — Acct XXXXXX6740

Beginning Balance	1/21/25	70,079.68	
Deposits / Misc Credits	2	100,527.24	
Withdrawals / Misc Debits	0	.00	
** Ending Balance	2/20/25	170,606.92	**
Service Charge		.00	
Interest Paid Thru 2/20/25		527.24	
Interest Paid Year To Date		785.09	
Annual Percentage Yield Earned		4.60%	
Number of Days for A.P.Y.E.		31	
Average Balance for A.P.Y.E.		137,821.61	
Average Collected Balance		137,821	
Minimum Balance		70,079	
Enclosures		1	

Miscellaneous Credits

Date	Deposits	Withdrawals	Activity Description
1/30	100,000.00		DEPOSIT
2/20	527.24		INTEREST EARNED

Daily Balance Summary

Date	Balance	Date	Balance	Date	Balance
1/30	170,079.68	2/20	170,606.92		

Industrial Development Board of the Town of Atoka

Meeting Minutes
Thursday, June 18, 2025

I. Jimmy Craig, Chair, requested that Matt Cox conduct the invocation; all in attendance participated in the Pledge of Allegiance. Jimmy Craig called the meeting to order at 4:30 p.m. and requested a roll call. A quorum was established.

II. The Industrial Development Board of the Town of Atoka met with the following members present:

Jimmy Craig	Bobby Chapman	Matt Cox	Daryl Walker
Chris Schaffer	Deanna Webb	Harry Sinis	

Absent: Ken Larkin

Also Attending: Marc Woerner, Town Administrator, Carla Grisham, Planning Clerk, Jessie Poole and attached sign in sheet.

III. **Public Comment-** None

IV. **Minutes** - Approval of May 15, 2025, Minutes. Matt Cox made a motion to approve the minutes as presented. Bobby Chapman seconded the motion. All approved. Motion Carried.

V. **Reports-** Treasurer, Bobby Chapman presented the financial report for April and May. Harry Sinis made a motion to accept the financial report as presented. Deanna Webb seconded the motion. All Approved. Motion Carried.

VI. **Old Business** – None

VII. New Business – Discussion of the Atoka on Track Long Range Comp Plan

- For Information Only: The Board discussed aligning mission, vision, and goals with the Mayor and Board of Aldermen; branding by Younger & Associates is complete, and marketing materials are pending. Updates included potential business and industry recruitment for the Walker Parkway Extension, a proposal to invite consultant John Crisp and team for a joint work session on August 28, 2025 (IDB to meet at 5:00 p.m., no July meeting held), and the state site evaluation team's noted concerns regarding utilities and topography at the Railroad Site (report pending). The $100,000 budgeted for IDB remains in savings until disbursed, with a goal of long-term self-sufficiency.
- Attendance: Policy Discussion: Board discussed adopting a policy for removal of a board member after three unexcused absences within a fiscal year (July 1–June 30), with allowances for illness, family emergencies, and vacations. The attorney will draft an amendment to the bylaws for consideration at the next meeting. The board clarified that board appointments are made by the mayor and confirmed by the Board of Mayor and Aldermen. The board advised that they would like the attorney to add possible language to allow the IDB to recommend board member replacements. Additionally, a discussion is underway to reduce the number of meetings from 12 to 10 each year

VIII. Miscellaneous Items from the Chairman, Board Members, Attorney - None

IX. Adjourn: Daryl Walker made a motion to adjourn the meeting. Bobby Chapman seconded. Meeting adjourned at 5:44 p.m.

_____ _____

Jim Craig, Chairman Deanna Webb, Secretary

Town of ATOKA

Industrial Development Board of the Town of Atoka

Special Called Meeting Minutes
Tuesday October 28, 2025

I. Matt Cox called the meeting to order at 5:02 p.m. Daryl Walker conducted the invocation. All participants joined in the Pledge of Allegiance. Deanna Webb conducted a roll call. A quorum was established.

II. **The Industrial Development Board of the Town of Atoka met with the following members present:**

Jim Craig	Bobby Chapman	Matt Cox
Deanna Webb	Daryl Walker	

Absent: Ken Larkin, Harry Sinis

Also Attending: Marc Woerner, Town Administrator, Anna Pond, Administrative and Communications Coordinator, Carla Grisham, Planning Clerk, Chris Schaeffer, Alderman and attached sign in sheet.

III. **Public Comment:** None

IV. **New Business:**

1. **Interview consultants:** Jim Craig spoke with Charles Gullatta, he declined. Matt Cox spoke with Mark Herbison, who also declined. No interviews were conducted.

2. **Discussion and potential engagement with consultants:** Terry Roland from Economic Development Advisors asked for a retainer of $40,000 per year for being the consultant. Once retained, Economic Development Advisors will start on a comprehensive plan.

Town of ATOKA

Daryl Walker made a motion for a short recess. Matt Cox second the motion. All approved for recess.

Chairman, Jim Craig called the meeting back in session. Matt Cox made a motion to enter into contract negotiations to retain EDA. Bobby Chapman seconded the motion. Deanna Webb did a roll call. Walker, yes, Cox, yes, Craig, yes, Webb, yes, Chapman, yes. Motion carried.

V. **Adjourn:** Matt Cox made a motion to adjourn the meeting. Bobby Chapman seconded. Meeting adjourned at 6:10 p.m.

Jim Craig, Chairman

Carla Grisham
Secretary

INDUSTRIAL DEVELOPMENT BOARD MEETING

October 28, 2025

PLEASE SIGN IN

Name	Address	Phone #
Pam Givens	TOA	
Matt Cole	TDR	
W Daryl Walker	AIOKa	
Bobby Chafin	TCIB	
WILLIAM BOARDLEY	COUNSEL TO IDB	
Deanna Webb	IDB	
Barry L. Akin	T.O.A.	
TOM LANGFORD	TOA	

INDUSTRIAL DEVELOPMENT BOARD MEETING
PUBLIC COMMENT

October 28, 2025

PLEASE SIGN IN TO SPEAK

Name	Address	Phone #

Industrial Development Board of the Town of Atoka

Meeting Minutes
Thursday, November 20, 2025

I. Jim Craig, Chair, called the meeting to order at 4:36 p.m. Daryl Walker conducted the invocation. All participants joined in the Pledge of Allegiance. Bobby Chapman conducted a roll call. A quorum was established.

II. **The Industrial Development Board of the Town of Atoka met with the following members present:**

Jim Craig Bobby Chapman Matt Cox
Daryl Walker Harry Sinis - arrived at 4:40 p.m.

Absent: Ken Larkin

Also Attending: Marc Woerner, Town Administrator, Anna Pond, Administrative and Communications Coordinator, Carla Grisham, Planning Clerk, Tom Langford, Building Official and attached sign in sheet.

III. **Public Comment –** John Harber at [redacted] spoke about his concerns regarding the hiring of Economic Development Advisors, noting that the firm is newly formed, a member's current employment, inappropriate social media posts by a member, EDA's lack of online presence and discussed the budget IDB set for themselves.

Josh Price at [redacted] spoke about EDA's lack of internet presence, asking about their accomplishments, if Atoka is the only project they are looking at or are they looking for more projects.

IV. **Minutes - Approval of October 15, 2025, and Special Called Meeting October 28, 2025, Minutes.** Matt Cox made a motion to approve the minutes as presented. Daryl Walker seconded the motion. All approved. Motion Carried.

V. **Reports-** Treasurer, Bobby Chapman presented the financial report for October 2025. Daryl Walker made a motion to accept the financial report as presented. Matt Cox seconded the motion. All Approved. Motion Carried.

VI. Old Business – Discussion for EDA Agreement – Matt Cox reviewed EDA's background and presented how long the firm has been in business, their location, website, team members and their experience. Mr. Cox also discussed the potential revenue impact new businesses could have on Atoka.

Chair Jim Craig addressed the contract with EDA being a $40,000.00 contract with a 1-year commitment. Mr. Craig noted there are a few changes to be made to the contract. One on the scope of work includes establishing an Industrial Development Board office when the time is appropriate, payment to EDA if approved would be a payment of $40,000.00 made quarterly beginning in January. EDA will provide monthly reports to give updates on what's going on with their search and discussions. Another change is EDA will be exclusive to work strictly with The Town of Atoka's IDB and not be allowed to do any business with Millington, Munford, Brighton, Covington, any of the municipalities in Tipton County. EDA will be allowed to do business with the Tipton County Commission. John Crisp with Millington IDB will resign within 7 days of the contract being signed if he hasn't already resigned. For compensation, the contract shows a retainer of $25,000.00 payment to be made in January although through negotiation the payment changed to $10,000.00 being paid in January and quarterly after that. Town Administrator Marc Woerner passed out the contract without the revisions updated yet for anyone to look over. The board also wants to add to the contract a moral clause based on behavior in public. Matt Cox made a motion for the contract with EDA and IDB to hire them with all necessary changes and any revisions going through the chairman of the board with consultation with the board's attorney. Harry Sinis seconded the motion. Chair Jim Craig did a roll call vote. Daryl Walker, yes, Harry Sinis, yes, Matt Cox, yes, Bobby Chapman, yes, Jim Craig, yes. All approved. Motion carried.

VII. New Business – None

VIII. Miscellaneous Items from the Chairman, Board Members, Attorney - Chair Jim Craig recognized Deanna Webb for her service to the board as she has turned in her resignation. Mr. Craig wanted to thank Mrs. Webb for her hard work.

IX. Adjourn: Bobby Chapman made a motion to adjourn the meeting. Harry Sinis seconded. Meeting adjourned at 5:19 p.m.

_____ _____

Jim Craig, Chairman Secretary

Industrial Development Board of the Town of Atoka

Meeting Minutes
Thursday, August 20, 2026

I. Jim Craig, Chair, called the meeting to order at 4:34 p.m. Daryl Walker conducted the invocation. All participants joined in the Pledge of Allegiance. conducted a roll call. A quorum was established.

II. The Industrial Development Board of the Town of Atoka met with the following members present:

Jim Craig	Bobby Chapman	Brook Taylor	Danny Feldmayer
Daryl Walker	Christina Johnson	Harry Sinis	

Absent:

Also Attending: Marc Woerner, Town Administrator, Anthony Rudolph, Chief of Police, Carla Grisham, Planning Clerk, Anna Pond, Administrative and Communications Coordinator, *attached sign in sheet.

III. Public Comment – None

IV. Minutes - Approval of June 25, 2026. Danny Feldmayer made a motion to approve the minutes as presented. Daryl Walker seconded the motion. All in favor. Motion carried.

V. Financial Report – Bobby Chapman presented the financial report for June and July of 2026. Danny Feldmayer made a motion to accept the financial report. Harry Sinis seconded the motion. All in favor. Motion carried.

VI. Old Business – None

VII. New Business –

- Chair recognized new appointments – Chair Jim Craig recognized the new IDB members Brook Taylor and Danny Feldmayer.

- **Nomination for Vice Chair –** Daryl Walker nominated Harry Sinis for Vice Chair. Christina Johnson seconded the nomination. All in favor. Harry Sinis was appointed as the new Vice Chair.

- **Approval of a new authorized check signer –** Danny Feldmayer made a motion for Harry Sinis to be the new check signer. Daryl Walker seconded the motion. All in favor. Motion carried.

- **Monthly update with Economic Development Advisors –** Carey Vaughn, Terry Roland and Kapil Dalsania with EDA were in attendance to update the board on C-PACE loans, a developer looking at a property in Atoka and potential retail for Atoka.

VIII. **Miscellaneous Items from the Chairman, Board Members, Attorney –**

- Chair Jim Craig inquired about the IDB's $100,000.00 currently being held in a savings account by the Board of Mayor and Aldermen.

- Chair Jim Craig informed the board of Matt Cox resignation letter. Jim Craig recognized Matt Cox for his great job serving on the IDB Board and referring someone to take his place. Daryl Walker made a motion to accept Matt Cox resignation letter. Danny Feldmayer seconded the motion. All in favor. Motion carried.

IX. **Adjourn:** Danny Feldmayer made a motion to adjourn the meeting. Bobby Chapman seconded the motion. All in favor. Meeting adjourned at 5:14 p.m.

_____ _____

Jim Craig, Chairman Christina Johnson, Secretary

EXHIBIT 17

Board minutes of February 17, 2026 (motion directing the Mayor to present a letter of the Board's grievances to the IDB); the Board's letter to the IDB, February 19, 2026; and IDB minutes of February 19, 2026

Historical Record

March 10, 2026

Exhibit A

Town of Atoka Board of Mayor and Aldermen
Regular Monthly Meeting
February 17, 2026, 6:30 p.m.

The invocation was led by Pastor Steve Carpenter of Gateway Baptist Church. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Akin at 6:36 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:
Present: Mayor Barry Akin, Aldermen Chris Detje, Brett Giannini, John Harber, Jeremy Lightsey, Jessie Poole and Chris Schaeffer.

Also present: Town Administrator Marc Woerner, Town Recorder Rachel Covarrubias, Town Attorney Amber Shaw, Police Chief Anthony Rudolph, Fire Chief Bill Scott, Parks Director Dorothy Isbell, Public Works Director Wesley Yarbrough and attached list.

Absent: None

Public Comment:

1. Andrew Suter at [redacted] informed the Board of the dangers of trying to turn from Meade Lake Road to Atoka Idaville Road.

2. Henry Suter at [redacted] inquired about the Industrial Development Board agenda and packet being on the new website. Mr. Suter was informed that staff are still in the process of updating information.

3. Stephanie Bohrman at [redacted] inquired if Atoka will be doing anything to celebrate Atoka's 150th anniversary and the Nation's 250th anniversary. Mrs. Bohrman also stated that new development could overshadow the older parts of Atoka.

Consent Agenda – Exhibits A through Exhibit H – Alderman Poole made a motion to approve the consent agenda except for Exhibit B. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Resolution 26-02-01 – Modifying Nancy Lane Park Rules for Atoka BBQ Fest – Exhibit C – Alderman Poole made a motion in the consent agenda to approve. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Old Business: None

New Business:

Resolution 26-01-02 – Approval of Rescue Squad Grant Application – Exhibit B – Alderman Poole made a motion to approve the resolution with the modifying the title to state Tennessee Fire Marshall's Office. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Presentation – Firefighter and Reserve Firefighter of the Year – Mayor Akin and Fire Chief Bill Scott recognized Jared Baker as the Reserve Firefighter of the Year. Mayor Akin and Chief Scott recognized Phillip Bingham as the Firefighter of the Year.

Presentation – Lieutenant Promotion – Mayor Akin administered the Fire Lieutenant Oath of Office to Donny Phillips.

Presentation – FY25 Audit Report – Matt Wood, CPA with ATA Advisory, LLC presented the annual audit report for fiscal year ending June 30, 2025.

Ordinances and Resolutions:

1. **Ordinance – First Consideration – Solid Waste Fees – Exhibit J –** The Board had no objection to reading the ordinance by title only. The Town Recorder read the ordinance by title only. Alderman Harber made a motion to approve the ordinance on first consideration. Alderman Detje seconded the motion. Roll call: Lightsey-yes, Detje-yes, Harber-yes, Giannini-yes, Schaeffer-no, Poole-yes. Motion carried.

2. **Resolution 26-02-03 – Approving Amending the Municipal Solid Waste Agreement – Exhibit K –** Alderman Poole made a motion to approve the resolution as presented. Alderman Harber seconded the motion. All in favor. Motion carried.

Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator

1. **Debt Report – Town of Atoka 2026 – Exhibit L –** Administrator Woerner reviewed the report as presented. No action needed, information only.

2. Mayor Akin reminded the Board and citizens of the e-bill option that the Town offers as a small way to help the Town save money. Mayor Akin stated that he has received numerous compliments from citizens regarding Public Works during the snow/ice storm.

3. Alderman Harber inquired about the policy for mailing vendor checks. Staff advised that the policy follows the internal control policy.

4. Mayor Akin reminded everyone of the Food Truck Festival that will be on March 14, 2026, from 11am – 5pm.

5. Alderman Giannini thanked the Police and Fire for the work that was put in during the ice/snowstorm.

6. Alderman Lightsey inquired about the status of the opening of Walker Parkway. Director Yarbrough advised that paving would begin on Thursday, February 19th.

7. Alderman Poole requested a copy of the amortization schedule for the new fire apparatus.

8. Alderman Detje inquired what the status of FEMA assistance. Director Yarbrough advised that the county met the threshold and we are in the beginning stages.

Alderman Poole made a motion to go into legal session. Alderman Detje seconded. All in favor. Legal session began at 7:52 pm and ended at 8:20 pm.
Alderman Poole made a motion that a letter stating the grievances of the Board of Mayor and Alderman be drafted and presented by the Mayor to the IDB. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Alderman Poole made a motion to adjourn the meeting. Alderman Harber seconded the motion. All in favor. The meeting adjourned at 8:22 pm.

Barry L. Akin, Mayor **Rachel Covarrubias, Town Recorder**

Town of ATOKA

TO: Atoka Industrial Development Board

FROM: Honorable Mayor Barry L. Akin and Aldermen

DATE: February 19, 2026

SUBJECT: Collaboration with the Industrial Development Board

Dear Atoka Industrial Development Board Members,

On February 17, 2026, the Board of Mayor and Aldermen made a motion for the Mayor to draft a letter reflecting Atoka's position as to the issues ongoing with the Industrial Development Board.

We are of the unified opinion that the Industrial Development Board is its own entity, separate and apart from the Mayor and Board of Aldermen, and it is our position that we should collaborate with the Industrial Development Board at every opportunity.

The ongoing issue with respect to the consulting firm hired by the Industrial Development Board is unfortunate. As Mayor, I can share that the Board is disappointed in the social media activities and content that has appeared and could be associated with the Town of Atoka. It is always our desire for every citizen and potential citizen, business and potential business, to feel welcomed and represented by its Board and Mayor. The possibility for anyone to perceive otherwise is concerning; however, we trust the Industrial Development Board, its experience contained within its members, and its reasoning in properly addressing the situation at hand.

We appreciate what the volunteer members of the IDB do for our community, and look forward to working with you in the future.

Respectfully,

Barry L. Akin, Mayor

Town of Atoka, Tennessee

cc: Marc Woerner, Town Administrator

Rachel Covarrubias, Town Recorder

Amber Shaw, Town Attorney

Industrial Development Board of the Town of Atoka

Meeting Minutes
Thursday, February 19, 2026

I. Jim Craig, Chair, called the meeting to order at 4:37 p.m. Matt Cox conducted the invocation. All participants joined in the Pledge of Allegiance. Matt Cox conducted a roll call. A quorum was established.

II. The Industrial Development Board of the Town of Atoka met with the following members present:

Jim Craig	Matt Cox
Daryl Walker	Harry Sinis

Absent: Ken Larkin, Bobby Chapman

Also Attending: Marc Woerner, Town Administrator, Anna Pond, Administrative and Communications Coordinator, Carla Grisham, Planning Clerk, Tom Langford, Building Official, Bill Scott, Fire Chief, Anothony Rudolph, Police Chief, Wesley Yarbrough, Public Works Director, Barry Akin, Town Mayor and attached sign in sheet.

III. **Public Comment** – None

IV. **Minutes - Approval of January 15, 2026.** Matt Cox made a motion to approve the minutes as presented. Daryl Walker seconded the motion. All approved. Motion carried.

V. **Reports** – Matt Cox presented the financial report for December 2025. Harry Sinis made a motion to accept the financial report as presented. Daryl Walker seconded the motion. All Approved. Motion carried.

VI. **Old Business – None**

VII. **New Business –**

- Chair Jim Craig noted that no work session was held. Cary Vaughn and Terry Roland of Economic Development Advisors were present to address questions from the Board and asked the Board to share their priorities and goals for future development in Atoka.

VIII. Miscellaneous Items from the Chairman, Board Members, Attorney – None

IX. Adjourn: Matt Cox made a motion to adjourn the meeting. Daryl Walker seconded the motion. All in favor. Meeting adjourned at 5:04 p.m.

_____ _____

Jim Craig, Chairman Secretary

EXHIBIT 18

Resolution 23-08-02

Investigative Record

RESOLUTION NUMBER 23-08-02

A RESOLUTION AMENDING THE POLICY ON THE BROADCASTING OF THE TOWN OF ATOKA PUBLIC MEETINGS AND PUBLIC COMMENT PERIOD.

WHEREAS, the broadcasting of Town of Atoka public meetings would serve the public by allowing them to observe the meetings; and

WHEREAS, with today's modern technology, it is effective to provide live broadcasts for viewing and made available for viewing by the citizens of Atoka; and

WHEREAS, the Town of Atoka is in compliance with all applicable open meeting requirements and the Board of Mayor and Aldermen wish to provide a means of viewing public meetings as a courtesy to the citizens; and

WHEREAS, the Town of Atoka desires to provide a time provision for citizen questions and comments while maintaining an efficient, respectful discourse,

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows:

Section 1. The Town should make reasonable efforts to provide for the broadcast of public meetings. Reasonable efforts should include the following:

A. An email distribution list, consisting of senior staff members and the Board of Mayor and Aldermen, which provides a mechanism for citizens to electronically submit questions. All questions shall be submitted by 5 p.m. the day before the public meeting. Questions submitted after the deadline will be read at the next regularly scheduled meeting.

B. When broadcasting of public meetings occurs, an electronic link would be provided via social media platforms to provide for "live viewing only".

"Live viewing only" shall mean that the electronic link will provide public viewing-only access while the public meeting is in session. Once the public meeting ends, any public viewing of the meeting shall also end.

C. The Town of Atoka can not control any electronic or other technical difficulties before or during the public meeting broadcast that may inhibit the ability for the public to view the meeting.

D. Questions submitted via the electronic distribution list by the deadline will be read verbatim by the Chair of the Board or Commission or their designee.

Section 2. Public meetings should provide a public comment period for members of the public who are attending in-person at the physical meeting location. Virtual participation during the comment period is not permitted.

A. Citizens who desire to speak during the public comment period shall register on the form.

B. The public comment period shall be limited to two (2) minutes per speaker.

C. Speaking time is not permitted to be provided from one speaker who is in attendance to another who is in attendance. Each speaker will speak for themselves during the comment period.

D. If a speaker requests additional time, it may be granted at the discretion of the Chair of the Board or Commission.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 8th day of August 2023.

Barry L. Akin, Mayor

ATTEST:

Deborah Pickard, Town Recorder

EXHIBIT 19

Proposed resolution amending the public comment time (November 10, 2026 Board packet, Exhibit B)

Investigative Record

November 10, 2026

Exhibit B

RESOLUTION NUMBER _____

A RESOLUTION AMENDING POLICY ON THE BROADCASTING OF THE TOWN OF ATOKA PUBLIC MEETINGS AND PERIOD FOR PUBLIC COMMENT

WHEREAS, the Board of Mayor and Aldermen previously established and approved a policy via Resolution 23-12-03 relating to the broadcasting of public meetings and period for public comment; and

WHEREAS, the broadcasting of Town of Atoka public meetings continues to serve the public by allowing them to observe the meetings; and

WHEREAS, the Town of Atoka is in compliance with all applicable open meeting requirements and the Board of Mayor and Aldermen wish to provide a means of viewing public meetings as a courtesy to the citizens; and

NOW, THEREFORE BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN OF THE TOWN OF ATOKA, TENNESSEE as follows**:**

Section 1. The Town should make reasonable efforts to provide for the broadcast of public meetings. Reasonable efforts should include the following:

A. An email distribution list, consisting of senior staff members and the Board of Mayor and Aldermen, will provide a mechanism for citizens to electronically submit questions. All questions shall be submitted by 5 p.m. the day before the public meeting. Questions submitted after the deadline will be read at the next regularly scheduled meeting.

B. An electronic link providing the electronic location for a citizen to view the public meeting will be provided.

The electronic link will provide public viewing-only access while the public meeting is in session. Any commenting via online viewing is prohibited. Once the public meeting ends, the recording may be stored on the Town's YouTube channel for later viewing, in accordance with records retention policies determined by the State of Tennessee.

C. The Town of Atoka cannot control any electronic or other technical difficulties before, during, after the public meeting broadcast that may inhibit the ability for the public to view the meeting.

D. Questions submitted via the electronic mail distribution list by the deadline will be read verbatim by the Chair of the Board, Commission, the Town Administrator or their designee(s).

Section 2. Public meetings shall provide a public comment period for members of the public who are in-person attending at the physical meeting location. Virtual participation during the comment period is not permitted.

A. Members of the public who desire to speak during the comment period shall register on the public comment form prior to the public comment period.

B. The public comment period shall be limited to three (3) minutes per speaker.
C. Speaking time is not permitted to be provided from one speaker who is in attendance to another who is in attendance. Each speaker will speak for themselves during the comment period.
D. If a speaker requests additional time, it may be granted at the discretion of the Chair of the Board or Commission.

PASSED by the Board of Mayor and Aldermen of the Town of Atoka, Tennessee this 10th day of November 2026.

_____
Barry L. Akin, Mayor

ATTEST:

_____
Rachel Covarrubias, Town Recorder

EXHIBIT 20

Minutes of the Planning Commission meeting of January 23, 2024 (Kroger site plan). The agenda, packet and all meeting materials are available on the Town's website.

Investigative Record

Municipal-Regional Planning Commission

Atoka Town Hall
334 Atoka-Munford Avenue

Tuesday, January 23, 2024
6:00pm

Meeting – Minutes

The **Atoka Municipal/Regional Planning Commission** met with the following members present:

Barry L. Akin	John Harber	Vicki Shipley
Paul Martin	Stephen Shopher	Tyra Faircloth
Matthew Peters		

Absent:

Also attending: Amanda Faurbo, Assistant to the Town Administrator
Marc Woerner, Town Administrator
Jim Atkinson,, Planner
*Attached Sign In sheet.

Chair Shopher called the meeting to order at 6:00pm and established a quorum.

Approval of Minutes

Approval of the December 18, 2023, Minutes – Commissioner Harber made a motion to approve the December 18, 2023, minutes as presented. Commissioner Shipley seconded the motion. No further discussion. All approved. Motion Carried.

Old Business – None

Reports – Code Enforcement Monthly Report December 2023 –The report was presented and reviewed by the Planning Commission.

Public Comment – None

New Business – **Approval of the Site Plan for Kroger's Expansion** – Jim Atkinson, Planner presented the staff report. Marvin Brown, engineer for Kroger answered questions from commission. Commissioner Shipley made a motion to approve the Kroger expansion. Mayor Akin seconded the motion. Chair Shopher opened the floor for discussion. Commissioner Shipley amended her motion to approve the Kroger Site plan with conditions.

1. Submit building elevations that demonstrate a consistent architectural design as the existing building.
2. A required point of egress on Maple Road.

Mayor Akin seconded the motion. All approved. Motion carried.

Miscellaneous Items from the Planning Commission-

Commissioner Martin inquired about the construction at Summit Roofing new location. He wanted to verify that they received all the proper approvals. Staff advised that the permitting for the construction occurred prior to the new Building official. All permits were pulled for the construction. Commissioner Harber advised that a sign permit will be turned in for the signage, it will say Summit on the front of the building.

Commissioner Martin brought to the commission's attention that February's meeting falls on a Holiday. The Commission agreed to move the meeting to Monday, February 12, 2024 at 6:00pm.

Commissioner Shipley made a motion to adjourn the meeting at 6:23 pm. Commissioner Peters seconded.

Stephen Shopher, Chair

Amanda Faurbo, Clerk

EXHIBIT 21

Notice email from Special Counsel to Mayor Akin, November 6, 2026, and Mayor Akin's reply of November 7, 2026

Investigative Record

Outlook

RE: Town of Atoka ethics investigation, notice of allegations and request to speak with you

From Barry Akin <bakin@atokatn.gov>
Date Sat 11/7/2026 11:22 AM
To Rachel Simmons <rachel@owtnlaw.com>

My cell number is [redacted] I am available today if needed, just let me know.

Mayor, Town of Atoka

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Friday, November 6, 2026 6:38 PM
To: Barry Akin <bakin@atokatn.gov>
Subject: Town of Atoka ethics investigation, notice of allegations and request to speak with you

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Dear Mayor Akin:

I am Rachel Simmons, an attorney in Covington. As you know, the Town of Atoka's Board of Mayor and Aldermen appointed me as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have reviewed the complaints, the Board's meetings and minutes, the relevant correspondence and records, and Atoka's Charter and Code of Ethics.

Attached to this email are copies of the complaints that concern you or bear on your conduct. They are summarized as follows:

1. On October 10 and again on October 12, 2026, Alderman Harber filed a complaint alleging that the public comment period at the October 8 Board meeting was extended from two minutes to three contrary to Section 2, Item B of Resolution 23-08-02, and asking on what authority that change was made. (Alderman Harber's complaint cites Resolution 23-07-02; the resolution he attached is numbered 23-08-02, and that is the number I will use.)

2. On October 12, 2026, Alderman Harber asked that a second matter be treated separately: whether the October 8 meeting "was contrived to discredit a local candidate." He relies on an October 10 email to you from Tipton County Commissioner Jason R. Skinner, which you forwarded to the Board.

Nothing stated above is a finding. These are the allegations as they were made, and you are entitled to respond to them.

Your participation is voluntary. You are not obligated to speak with me, and no adverse inference will be drawn if you decline. If you are represented by an attorney in connection with this matter, please tell me and I will arrange any contact through your counsel rather than with you directly.

You may respond in writing if you wish, and you may provide documents and identify witnesses you believe I should speak with. To complete the investigation, I would also like to speak with you directly.

If you are willing, can we speak sometime this weekend? Please let me know the day and time that works best for you. I am also glad to meet by Zoom if you would prefer. If you are not available this weekend, please let me know when you would be available to speak to me on Monday November 9.

I will take contemporaneous notes during our conversation, and my report will be provided to the Board of Mayor and Aldermen and may become a public record.

Thank you for your time, and I look forward to your response.

Kindest Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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EXHIBIT 22

Capt. Andrew Stroud's public Facebook post of October 10, 2026

Investigative Record



Andrew Stroud

Oct 10 ·

After I spoke at the Board of Mayor and Aldermen meeting the other night, I was contacted the following day by someone who told me they were very ashamed of me. The reason? They felt my comments came across as a personal attack against a mayoral candidate. We talked for a while, and by the end of our conversation, that individual had a much better understanding of why I said what I did.

That conversation made me realize something. Perhaps I haven't done a good enough job explaining the entire situation. Because of the time limits placed on public comments, I've had to address this issue across two separate Board meetings. That makes it difficult for anyone who hasn't followed the entire process to understand the full story. So, I'd like to take a few minutes to explain how we got here, why I've spoken publicly, and why this has never been about a political campaign or a personal disagreement. It has been about the facts, the work that was done, and the responsibility that comes with making decisions

on behalf of the citizens of Atoka.

Let me start at the beginning.

When the Town of Atoka began the process of purchasing a new fire engine to replace our current apparatus, a committee was formed to research the available options and determine what would best serve our department and community. That committee invested more than 600 hours into the process. We traveled to manufacturing facilities, toured production lines, met with representatives, asked technical questions, drove apparatus, and gained hands-on experience with different manufacturers and configurations.

We didn't simply look at a price tag and decide which truck we liked best. We evaluated safety, capability, maneuverability, maintenance requirements, reliability, expected service life, and the operational needs of our department. After completing that research, our committee unanimously agreed on the apparatus we believed was the best long-term investment for Atoka.

Before going any further, I think it's important to

explain some of the experience behind that recommendation. I have 10 years of experience in the automotive industry and hold a degree in Gasoline and Diesel Engine Technologies, with a minor in High Performance Engines. I also have 17 years of experience in the fire service. Another Captain involved in this process has 18 years of fire service experience and extensive mechanical knowledge and abilities. For years, we have performed maintenance and repairs on our department's apparatus in-house whenever possible. That work reduces downtime, keeps our emergency vehicles available to respond, and saves the Town money. The Board itself has praised us for those efforts.

I mention these qualifications not because I believe we know everything, but because I want people to understand that our recommendation wasn't based on personal preference. It was based on education, mechanical experience, operational experience, and hundreds of hours of research.

Now, let's talk about what happened when we presented our recommendation.

Before our presentation, we knew that Alderman Harber had visited another fire department to look at a different style of apparatus than the one we were recommending. During the Board work session, I presented the differences between the two types of apparatus, including safety, capability, maneuverability, maintenance, reliability, and expected service life. I also explained how the apparatus we recommended could be customized to better meet our department's needs. One of those benefits was additional usable compartment space, which allows us to carry and organize the equipment necessary to perform our jobs. When I explained that advantage, Alderman Harber responded: "Well, I'm sure my wife would also like to have a bigger closet."

I didn't respond.

That was my first time presenting something of this magnitude before the Board, and quite frankly, I wasn't expecting a comment like that. We were discussing a piece of emergency equipment that firefighters would depend on for potentially the next 20 to 25 years. The additional

compartment space wasn't about convenience or luxury. It was about operational capability. To have that reduced to a comparison about someone's closet was disappointing. But I continued with the presentation because the purpose of being there was to provide information, not argue.

During that work session, Board members asked numerous questions, as they absolutely should have. Some of those questions required information I didn't have immediately available. Rather than speculate or give an answer I couldn't support, I spent the following day visiting Tipton County Fire Department and Munford Fire Department. I took measurements, photographed apparatus, conducted turning-radius tests, and gathered real-world information to address the Board's concerns. I then compiled that information into another research packet, which was delivered to the Board.

On the final page of that packet, I extended an invitation to every Alderman who still had questions or concerns to come to the fire station. I explained that my crew and I would work around their schedules, answer their questions, and

provide hands-on demonstrations of our apparatus, equipment, and operational needs. We weren't asking anyone to blindly accept our recommendation. We were inviting them to challenge it, examine it, and understand it.

One Alderman who still had concerns took us up on that invitation. We had lengthy conversations. We didn't agree on everything immediately, but we listened to one another. Ultimately, we made some changes to address his concerns. That's how the process is supposed to work. I didn't hold anything against the other Aldermen for not visiting. I assumed the additional research had answered their questions and that they now had the information they needed to make an informed decision. When the final vote came, every Alderman voted in favor of the apparatus our committee recommended. Every Alderman except Alderman Harber. And let me be clear, he had every right to vote no. I have never argued otherwise. But having the right to cast a vote does not mean that vote, or the reasoning behind it, is beyond question.

So why did I eventually speak publicly?

Because the fire engine decision began appearing in Alderman Harber's mayoral campaign statements. He publicly expressed confidence in being the only "no" vote, explaining that he had done his own research and identified another apparatus option that was approximately $300,000 less expensive. Trying to save taxpayers $300,000 is absolutely responsible. I respect anyone who takes the responsibility of spending public money seriously. But saving money is only a good decision if what you're purchasing adequately meets the needs it is intended to serve.

When you're purchasing an emergency vehicle that could remain in service for more than two decades, the purchase price is only one part of the equation. Safety, capability, reliability, maintenance costs, expected service life, and the ability to meet the department's operational needs all matter. A cheaper apparatus is not automatically a better investment simply because it costs less. And when someone publicly uses that price difference to question the judgment of the people who spent hundreds of hours evaluating those factors, I believe those people

have every right to respond. Especially when the full research supporting the alternative has not been presented publicly.

Here's where my frustration grew.

From the day the Board received my additional research packet until the day I spoke publicly, 294 days had passed. During that time, Alderman Harber never came to the fire station to discuss the apparatus with us, or contacted us about it in any form. When I brought up the invitation, he stated that he didn't remember it. He said he wasn't sure whether I had sent it through an email, text message, or some other method, but he didn't recall seeing it. That invitation was on the final page of the research packet the Board had requested. I cannot tell you whether he read the entire packet. But hearing that he didn't remember an invitation included in the very research we were asked to provide certainly raised that question in my mind.

And it left me wondering something else. If our recommendation was important enough to publicly criticize, why wasn't it important enough

to sit down with the people who made it and ask them questions? We made ourselves available. We offered to work around schedules. We offered hands-on demonstrations. We offered to explain the reasoning behind every aspect of our recommendation. All anyone had to do was ask.

Then came the mayoral debate.

During the debate, Alderman Harber referenced me as someone who had come to a Board meeting and attacked him. I strongly disagree with that characterization. I did not attend that meeting to attack a mayoral candidate. I attended because public statements were being made about a decision I had been directly involved in researching. I had firsthand knowledge of the work performed, the information presented, and the opportunities given to Board members to ask questions. I believed the public deserved to hear that side of the story.

Questioning a public official's statements and asking them to explain the research behind a decision is not a personal attack. It is accountability. And I believe there's an important

distinction here. When a public official uses a decision to demonstrate their judgment during a campaign, that decision becomes part of the public conversation. The facts surrounding it deserve to be part of that conversation, too. You cannot publicly promote your decision as evidence of good judgment and then characterize questions about that decision as personal attacks.

Now, consider something else that was said during the debate.

Alderman Harber explained that when he visited Tipton County Fire Department, he asked their Fire Chief three questions about the apparatus:

1. Will it get them to a fire?
2. Will it put out the fire?
3. Will it get them back?

Those are important questions. But are those three questions enough to determine which fire engine a community should purchase for somewhere between $600,000 and $1,000,000? Do they address occupant protection, vehicle construction, braking performance,

maneuverability, equipment capacity, maintenance requirements, long-term reliability, or expected service life? Do they address how that apparatus will perform under the specific operational demands of Atoka Fire Department? Do they address the long-term costs of owning and maintaining that apparatus? Getting firefighters to a fire, putting water on it, and getting them home are the basic expectations of a fire engine. They are not a comprehensive evaluation of a nearly million-dollar investment. And that's precisely why our committee spent more than 600 hours researching these vehicles. We understood the importance of getting this decision right. Not just for today. Not just for the current Board. But for the firefighters and citizens who will depend on that apparatus for years to come.

So let me explain what this has really been about.

This has never been about whether Alderman Harber is running for Mayor. It has never been about telling an elected official that he must agree with the Fire Department. And it has never been

about suggesting that spending more money automatically means getting a better product. It has been about the expectation that decisions involving public safety and significant taxpayer dollars deserve thorough research, informed questions, and meaningful consideration of the people who will actually operate and maintain the equipment. It's about the difference between disagreeing with a recommendation and publicly discrediting the work behind it. And it's about the responsibility of public officials to explain the reasoning behind their decisions when those decisions are questioned.

I have no problem with someone disagreeing with me. I have no problem with someone challenging my research. In fact, I welcome it. That's how better decisions are made. But I expect those disagreements to be supported by facts, thoughtful questions, and a willingness to listen. Our committee wasn't asking for special treatment. We weren't asking the Board to write a blank check. And we certainly weren't asking anyone to abandon their responsibility to the taxpayers. We were asking that the hundreds of hours of work, professional experience, and

technical research we brought to the table be given the serious consideration they deserved.

I take tremendous pride in serving this community. I take pride in the work our department does, the money we've saved through our own maintenance and repairs, and the commitment our firefighters have to protecting Atoka. So yes, when our professional judgment and research were publicly called into question, I felt compelled to respond. Not because my feelings were hurt. Not because of someone's political ambitions. But because I believe the citizens of Atoka deserve to understand what actually went into this recommendation. And because the people who invested their time, knowledge, and experience into making that recommendation deserve to have their work represented fairly.

I will never apologize for respectfully defending factual research, professional judgment, or the safety of the firefighters and citizens we serve. If someone disagrees with our recommendation, that's their right. But if they're going to use that disagreement as an example of their leadership and decision-making, then I believe it's fair to ask

them to explain the research that led them there. Because leadership isn't just about having the confidence to make a decision. It's about having the knowledge to support it, the humility to listen, and the accountability to answer for it.

That's not a personal attack.

That's the standard I believe our community deserves.

EXHIBIT 23

Email from Special Counsel to Krista Scott, November 6, 2026, requesting to speak with her, and her reply the same evening

Investigative Record

Outlook

Re: Town of Atoka ethics investigation, Request to speak with you

From Krista Scott <[redacted]>
Date Fri 11/6/2026 10:41 PM
To Rachel Simmons <rachel@owtnlaw.com>

Ms. Simmons,

I am in Illinois this weekend for a funeral but I do want to speak with you.
I am available to talk anytime between 7am-10am or after 4pm Saturday. I am also available after Noon Sunday.

Please let me know what works best for you.

Thank you!

Krista Scott
[redacted]

On Nov 6, 2026, at 6:03 PM, Rachel Simmons <rachel@owtnlaw.com> wrote:

Dear Ms. Scott,

I am Rachel Simmons, an attorney in Covington. The Town of Atoka's Board of Mayor and Aldermen appointed me as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have reviewed your written complaint dated October 9, 2026, the Board's meetings and minutes, the relevant correspondence and records, and Atoka's Charter and Code of Ethics. To complete the investigation, I would like to speak with you briefly.

Your participation is entirely voluntary. You are not obligated to speak with me, and no adverse inference will be drawn if you decline. If you are represented by an attorney in connection with this matter, please tell me and I will arrange any contact through your counsel rather than with you directly.

Two things you should know before we speak. First, I will take notes during our conversation, and my report will be provided to the Board of Mayor and Aldermen and may become a public record. Second, the Board has committed

that no one will be retaliated against for cooperating with this investigation, for declining to, or for anything said in an interview. That commitment covers your husband as well as you. If either point concerns you, we can talk it through before we begin.

If you are willing, can we speak sometime this weekend? If so, please let me know the day and time that works best for you. I am also glad to meet by Zoom if you would prefer. If you are not available this weekend, but willing to speak with me please let me know what time you are available on Monday November 9.

Thank you for your time, and I look forward to your reply.

Kindest Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
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P.O. Box 1016
Covington, TN 38019
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EXHIBIT 24

Tennessee Secretary of State business entity profile for Economic Development Advisors, LLC

Investigative Record

ECONOMIC DEVELOPMENT ADVISORS, LLC

Entity Type: Limited Liability Company (LLC)
Formed in: TENNESSEE
Term of Duration: Perpetual
Managed By: Member Managed
Series LLC: No
Number of Members: 1

Status: Active
Control Number: 002018216
Initial Filing Date: 4/30/2025 5:08:37 PM
Fiscal Ending Month: December
AR Due Date: 04/01/2027
Obligated Member Entity: No

Registered Agent

ECONOMIC DEVELOPMENT ADVISORS, LLC
5100 Poplar Ave Ste 708
Memphis, TN 38137

Principal Office Address

6656 US Highway 51 N Ste 1
Millington, TN 38053

Mailing Address

6656 US Highway 51 N Ste 1
Millington, TN 38053

AR Standing: Good | RA Standing: Good | Other Standing: Good | Revenue Standing: Not Good

History (2)

Type	Date	Tracking Number	Change History
2025 Annual Report for ECONOMIC DEVELOPMENT ADVISORS, LLC	4/2/2026 5:19:42 PM	B2026363343	○ Annual Report Due Date changed from: 4/1/2026 to: 4/1/2027 ○ Officers Changed
Articles of Organization - Limited Liability Company for ECONOMIC DEVELOPMENT ADVISORS, LLC	4/30/2025 5:08:37 PM	B2025250210	

EXHIBIT 25

Board minutes of August 11, 2026 (appointment of Danny Feldmayer and Brook Taylor to the IDB)

Historical Record

Town of ATOKA

Town of Atoka Board of Mayor and Aldermen
Regular Monthly Meeting
August 11, 2026, 6:30 p.m.

The invocation was led by Reverend Altra Williams of St. John's Missionary Baptist Church. All present joined in the pledge to the flag.

The meeting was called to order by Mayor Akin at 6:34 p.m.

The Town of Atoka Board of Mayor and Aldermen met with the following:
Present: Mayor Barry Akin, Aldermen Chris Detje, Brett Giannini, John Harber, Jeremy Lightsey, Chris Schaeffer and Jessie Poole.

Also present: Town Administrator Marc Woerner, Planning Clerk Carla Grisham, Town Attorney Amber Shaw, Police Chief Anthony Rudolph, Fire Chief Bill Scott, Parks Director Dorothy Isbell, Planning Consultant Jim Atkinson, Public Works Director Wesley Yarbrough and attached list.

Absent: None

Public Comment:

1. Bill Austin voiced concerns regarding the drainage ditch being overgrown between 741-831 Walker Parkway. Mr. Austin also inquired about the spring that has been on Harper Street as well as weeds across from the fire station and posts with no signs on Walker Parkway.

2. Stephanine Bohrman stated that she doesn't believe the minutes from the July 14th meeting to be accurate for her public comment.

Consent Agenda – Exhibits A through Exhibit H – Alderman Poole made a motion to approve the consent agenda as presented except for Exhibits A and B. Alderman Detje seconded the motion. All in favor. Motion carried.

Old Business:
None

New Business:
Appointments – Industrial Development Board – Alderman Schaeffer made a motion to appoint Danny Feldmayer and Brook Taylor to the Industrial Development Board. Alderman Giannini seconded the motion. All in favor. Motion carried.

Resolution – 26-08-01 – Approval of Capital Outlay Note – Exhibit B – Alderman Giannini made a motion to approve the resolution for the three (3) year term. Alderman Harber seconded the motion. All in favor. Motion carried.

Regular Board Meeting – July 14, 2026 – Exhibit A – No action was taken. Board recommended staff review the recording.

Ordinances and Resolutions:

1. **Ordinance – First Consideration – Sign Approvals – Exhibit I –** The board had no objection to the ordinance being read by title only. The Town Recorder read the ordinance by title only. Alderman Harber made a motion to approve the ordinance on first consideration. Alderman Lightsey seconded the motion. Roll call: Lightsey-yes, Detje-yes, Harber-yes, Giannini-yes, Schaeffer-yes, Poole-yes. All in favor. Motion carried.

2. **Resolution – 26-08-02 – FY27 Budget Amendment – Exhibit J –** Alderman Giannini made a motion to approve the resolution as presented. Alderman Poole seconded the motion. All in favor. Motion carried.

3. **Resolution – 26-08-03 – Acceptance of Building Donation – Exhibit K –** Alderman Detje made a motion to approve the resolution as presented. Alderman Giannini seconded the motion. All in favor motion carried.

4. **Resolution – 26-08-04 – Shared Stormwater Agreement – Exhibit L –** Alderman Poole made a motion to approve the resolution as presented. Alderman Lightsey seconded the motion. All in favor. Motion carried.

Miscellaneous Items from the Mayor, Board of Aldermen, Town Administrator

1. Mayor Akin highly encouraged residents to sign up for e-billing, this feature does not change how you choose to pay your bill it is only how you receive your monthly utility bill and ACH payment that will draft from your account if you choose to sign up.

2. Alderman Harber recognized the Boy Scouts that were in attendance as part of the badge completion.

3. Mayor Akin recognized Bill McClain, Civilian Traffic Aide for the Town. Mayor Akin stated that Mr. Bill always shows up ready to do the job no matter what, rain or shine.

4. Alderman Giannini thanked Town staff for all their hard work.

5. Administrator Woerner advised the Board of the following: Staff have received the certified tax rate of .7691, the tax rate that was adopted was .7685. The approved water and sewer rates will be reflected on August 25th billing. The West Tennessee Regional Utility Authority and the Joint Venture will be meeting on Thursday, August 13th at 10 a.m. The Munford Lagoon wastewater project is approximately 90% complete with a hopeful punch list scheduled for August 20th.

Alderman Poole made a motion to recess the meeting to enter legal session. Alderman Lightsey seconded the motion. All in favor. Meeting recessed at 7:26 p.m. The meeting resumed at 8:30 p.m.

1. Alderman Poole made a motion to send a letter to inform subcontractors of the money regarding the culvert. Alderman Lightsey seconded the motion. All in favor. Motion carried.

2. Alderman Poole made a motion to send a letter waiver to PEP Partners so that both towns can be represented by the same party. Alderman Harber seconded the motion. All in favor. Motion carried.

3. Alderman Giannini made a motion to amend the agenda. Alderman Detje seconded the motion. All in favor. Motion carried.

4. Alderman Giannini made a motion to allow Alderman Poole to reach out informally on behalf of the Board. Alderman Giannini withdrew his motion.

5. Alderman Detje made a motion to allow Alderman Poole to speak on behalf of the Board of Mayor and Aldermen to the family member to report back to the Town attorney with a deadline of a week. Alderman Schaeffer seconded the motion. Aldermen Detje, Harber, Schaeffer, Lightsey-yes, Giannini-yes, Poole-abstain. Further actions will be discussed at the September Board meeting.

6. Alderman Giannini made a motion requiring all non-emergency vehicles, with the exception of undercover police vehicles to have the Town of Atoka standard size emblem on both doors within 30 days. Alderman Harber seconded the motion. All in favor motion carried.

7. Alderman Giannini made a motion that administrators and department directors all work 5 days a week, 8 hours a day. Alderman Lightsey seconded the motion. Roll call: Poole-yes, Schaeffer-no, Giannini-yes, Harber-yes, Detje-no, Lightsey-yes. Motion carried.

Alderman Poole made a motion to adjourn the meeting. Alderman Harber seconded the motion. All in favor. Meeting ended at 8:45 p.m.

Barry L. Akin, Mayor

Rachel Covarrubias, Town Recorder

EXHIBIT 26

Email from Special Counsel to David Pickler, counsel for Alderman Harber, November 11, 2026, offering to interview Alderman Harber or, in the alternative, to send written questions

Investigative Record

Outlook

Atoka ethics investigation, Alderman John Harber

From Rachel Simmons <rachel@owtnlaw.com>
Date Wed 11/11/2026 12:12 AM
To dpickler@picklerwealthadvisors.com <dpickler@picklerwealthadvisors.com>

Dear Mr. Pickler:

I am Rachel Simmons, special counsel retained by the Town of Atoka Board of Mayor and Aldermen to investigate ethics complaints made by Atoka Alderman John Harber and ethics complaints made against Alderman Harber. He advised me this afternoon that he retained you to represent him in connection with this investigation.

I contacted Alderman Harber by email on Friday, November 6, 2026, to request to speak with him directly about the complaints against him and about the complaints he filed against or in connection with Mayor Barry Akin. Attached to that email were the verbatim written complaints concerning Alderman Harber that I received from the Town Attorney and that are within the scope of my investigation. Over the weekend and yesterday Alderman Harber and I corresponded via email addressing a potential conflict he raised with me, the steps I took in response, and my request that he either consent to or object to my continuing the investigation. Alderman Harber consented in writing to me continuing this investigation. If that is no longer his position, I ask that you advise me in writing. If he has not provided that complete correspondence to you, please let me know and I will promptly forward it to you.

As I told Alderman Harber, I have reviewed, among other things, all correspondence related to the allegations in this investigation; the records, packets, videos, and minutes of Atoka Board meetings; the records, packets, and minutes of other relevant boards and administrative bodies; and the Atoka Charter and Code of Ethics. Given that Alderman Harber is either the subject or complainant in every complaint within the scope of my investigation, I decided that the last step in the investigation should be his interview. I wanted to know, to the extent possible, the full context, background, substance, documented evidence, and applicable law before I spoke to him.

The Board wanted my report on the investigation prior to its meeting tonight, November 10. By the time I had addressed the conflict question Alderman Harber raised, which he had every right to raise and I am glad he did, he and I had not had an opportunity to speak. Therefore, in my judgment I could not provide a report on the investigation that was thorough, fair, and impartial without Alderman Harber having an opportunity to respond, either by speaking to me directly, responding in writing, or deciding not to participate at

all. I advised the Town Attorney that my report on the investigation would be delayed, yet I remain committed to completing my report as soon as reasonably possible for the best interests of those involved and the public. Barring extraordinary circumstances, I will submit my report on this investigation to the Atoka Board of Mayor and Aldermen no later than Friday, November 20, 2026. I have consistently advised Alderman Harber that he is not obligated to participate in this investigation, and that I will draw no negative inference if he decides not to. My report will state what I requested, what alternatives I offered, and his response, as it will for every person I asked to speak with.

But I do have questions. And I would like to speak to him directly.

To be clear, the scope of my investigation is alleged violations of the Atoka Code of Ethics and/or Atoka Charter. I am not determining whether a crime was committed, and allegations outside my scope will be referred back to the Board. I acknowledge that municipal ethics investigations are not common, at least not for small towns in our community. This is not litigation, interviews are not conducted under oath, and I am not conducting a forensic review of electronic devices. I weigh what interviewees tell me against the documented record I have reviewed, and where an account and the record are inconsistent, my report will say so. Nonetheless, I recognize that an investigation of this kind can produce findings adverse to the subject's interests.

If Alderman Harber is willing to speak to me, I will make myself available at your and his convenience anytime Friday, November 13 at 1:00pm or any time after, Saturday, November 14 at 1:00pm or any time after, or Sunday, November 15 at 1:00pm or any time after. If none of those dates and times work for you and Alderman Harber, please advise when you are available, including early next week, and I will make every effort to accommodate your schedules.

In the alternative, Alderman Harber may respond in writing. If he chooses, I have a list of questions I would ask him to address, in addition to anything else he would like to say. I will send you my written questions, and I would request his response no later than Tuesday, November 17 at 5:00pm. If he decides not to participate in this investigation in any respect, please confirm his decision in writing.

After you have had an opportunity to consider my request and consult with Alderman Harber, I look forward to your response. If you would like to discuss any part of my requests herein or this investigation, please feel free to call me.
My office is closed tomorrow, November 11 for Veterans Day, but you can reach me on my cell a [redacted] am available tomorrow, except between noon and 3:00pm. On Thursday, November 12, I have two hearings on the docket in Tipton County Chancery Court. I don't know how long court will take, but I expect to be tied up until early afternoon at least.

Kindest Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
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Covington, TN 38019
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EXHIBIT 27

Email from Special Counsel to David Pickler, November 17, 2026, with the written questions to Alderman Harber attached

Investigative Record

Outlook

Atoka Ethics Investigation, Written Questions for Alderman Harber

From Rachel Simmons <rachel@owtnlaw.com>
Date Tue 11/17/2026 12:59 AM
To dpickler@picklerwealthadvisors.com <dpickler@picklerwealthadvisors.com>

1 attachment (251 KB)
Written Questions to Alderman John Harber - FINAL.pdf;

Dear Mr. Pickler:

I am following up on my November 11 email, in which I requested to meet with Alderman Harber on November 13, 14 or 15, or early this week, or, in the alternative, to send written questions for him to answer in writing. I have not received a response, and to my knowledge I have not missed a call from you. Attached are those written questions.

I know it is a long list. I have been prepared to interview Alderman Harber since I first requested to speak to him on November 6, 2026. As I noted on November 11, Alderman Harber is the subject or the complainant in every complaint within the scope of this investigation, and I have tried to give him a full opportunity to address all of them. I have reviewed the record thoroughly and conducted several interviews, but his account is the one piece still missing, and I cannot ignore that gap. A thorough and impartial report requires that I give him every opportunity to fill it, in any manner he chooses. That is owed to him, to everyone else involved, and to the citizens of Atoka.

That includes his own complaints in this investigation that Mayor Akin improperly extended the public comment period at the October 8 meeting, and that the extension, followed by public comments critical of Alderman Harber, was coordinated to undermine his candidacy. As I explained on November 11, my scope is limited to the Atoka Code of Ethics and Charter, and within that scope I take this allegation seriously. In a recent post on his campaign Facebook page, Alderman Harber wrote, “I am not going to make accusations of election fraud without evidence.” I agree that evidence is what matters, and his account is the most important evidence available to me on that question. If he has any information, documents or witnesses bearing on it, I want to receive them.

As I said on November 11, Alderman Harber is not obligated to participate or respond. He may answer as many or as few of the questions as he wishes, in as much or as little detail as he wishes, or decline to answer any of them. He may also submit his own written statement, in any format, with anything he wants me to consider.

Given the length of the questions, I have extended the deadline for Alderman Harber’s response as far as my schedule for completing the report allows:

- By close of business today, Tuesday, November 17, please tell me in writing whether Alderman Harber intends to respond in any form. If he has decided not to participate,

I ask, as I did on November 11, that you confirm that decision in writing.
- His response, if any, is due by 12:00 noon on Wednesday, November 18, 2026. I am not able to extend this deadline further.
- I will submit my final report to the Board no later than 12:00 noon on Friday, November 20, 2026, with or without his response.

If you would like to discuss any of this, please respond to this email with times you are available and I will call you.

Thank you for your time, and I await your response.

Kindest Regards,

Rachel Simmons

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Written Questions Submitted to Alderman John Harber

Instructions

These written questions are an alternative to an interview. They give you an opportunity to respond to the ethics complaints you filed concerning Mayor Akin and the ethics complaints filed concerning you. Please read the following before you respond.

1. **Responding is voluntary.** You may answer all, some, or none of the questions.
2. **Declining.** To decline a question, write "decline" to show that your decision not to respond is intentional and not an oversight. You may explain why you decline, but no explanation is required or will be requested.
3. **Detail.** For each question you answer, please answer as fully as you are able and willing.
4. **Quotations.** Some questions may quote you or others. If you dispute any quotation in these questions, say so and give the wording you contend is accurate and its source (recording, document, written communication or recollection).
5. **Personal knowledge.** Answer from your own knowledge. If an answer rests on what someone told you, on a document, or on your understanding rather than your recollection, say so and identify the source.
6. **Documents and witnesses.** When a question asks for a document, message or screenshot, please provide the complete item, including the full thread and any part showing the account, address or number it was sent from or to. If you do not have it, say so and say who does, if you know. For each witness, give the person's full name, the basis of their knowledge, and any email, phone number and mailing address you have.
7. **Dates and times.** Be as precise as you can. To the extent you cannot, approximation is sufficient and should be noted.
8. **Unclear questions.** If a question is unclear or rests on a premise you dispute, say so, answer it as you understand it, and state the premise you dispute.
9. **Format.** Answer in writing, in order, under each numbered question in this document, or in a separate document by each question's letter and number (for example, "E.3"). Please add any additional information or statements that may not be encompassed in your answers to these questions at the end under "Additional Information."
10. **Signature.** The last page is for you and Mr. Pickler to sign and date. It confirms that your responses are given freely, voluntarily and on the advice of counsel, that they include your full account to the extent you wish to give it, and that you understand how to supplement your responses.
11. **Supplementing.** You may supplement or amend any answer before my report is submitted to the Board. A supplement will be treated as part of your response.

12. **Counsel.** These questions are submitted to you through your counsel, David Pickler. Please return your responses to me through him.

13. **Privileged material.** I am not asking for any communication with your attorneys. If your response to a question would include communications with your attorney, answer what you can without disclosing any privileged material and state that further response includes privileged material.

14. **Use of your responses.** Your responses will be part of the investigative file and may be quoted in or attached to my report to the Board. The report and its attachments are subject to the Tennessee Public Records Act.

15. **No question is an accusation.** Quoting an allegation or describing a document is not adopting it, and asking a question about a topic is not a finding.

16. **Preservation.** Please do not delete, alter or discard any potentially responsive message, email, photograph or account record, including on personal accounts and devices.

Please return your responses to me by 12:00 noon on Wednesday, November 18, 2026.

Terms Used in These Questions

Term	Meaning
Board	The Atoka Board of Mayor and Aldermen
Charter	The Charter of the Town of Atoka
Chief Scott	Atoka Fire Chief Bill Scott
Code	The Town of Atoka Code of Ethics, Atoka Municipal Code Title 1, Chapter 4
Detje Text	Your text message to Alderman Chris Detje on June 12, 2026 at 11:26 p.m.
EDA	Economic Development Advisors, LLC, the IDB's economic development consultant
EDA Contract	The consultant contract between the IDB and EDA, approved by the IDB on November 20, 2025
Forum	The mayoral candidate forum held October 5, 2026
IDB	The Atoka Industrial Development Board
January 2026 Emails	The emails you sent from your Town of Atoka account on January 16, 17, and 30, 2026 regarding the Roland Posts
June Facebook Post	Your comment about Amanda Faurbo in the Fans of Atoka, TN Facebook group, and Ms. Faurbo's June 12, 2026 post on her personal Facebook page sharing a screenshot of that comment with her response
November 7 Email	Your email to me sent November 7, 2026 at 9:32 p.m.
October 8 Meeting	The Board's regular meeting on October 8, 2026
October 13 Meeting	The Board's special called meeting on October 13, 2026
Resolution	Resolution 23-08-02, the Town's resolution on broadcasting public meetings and the public comment period
Roland Posts	Posts on Terry Roland's personal Facebook page you sent to Town officials, IDB members, Ms. Taylor and others
Scott Message	Your Facebook Messenger message to Chief Scott on June 12, 2026 at 11:31 p.m.
Skinner Email	Tipton County Commissioner Jason R. Skinner's October 10, 2026 email to Mayor Akin titled "Citizens response to the 10/8/26 BOA meeting," which you asked to have added to your complaint
Taylor Message	Your Facebook Messenger message to Brook Taylor on October 7, 2026 at 7:17 p.m. and the six images you sent with it
Town	The Town of Atoka, Tennessee
Town Attorney	Amber Shaw

Section A: Preliminary Questions

1. List each office, appointment or board seat you have held with the Town or any Town board, commission or authority, with dates. Include your service as Alderman, Vice Mayor, and appointment to any Town-related boards.
2. Identify each social media account and email address you used in 2026 to communicate about Town business. For each account, please state whether it is personal, Town, or campaign, and whether anyone else has had access to it.
3. Have you received and read a copy of the Code? Have you received any ethics training as an elected official, and if so, when and from whom?
4. Before October 8, 2026, did you receive an opinion, guidance or advice from the Town Attorney about any conduct addressed in these questions? If so, state only when, in what form, and on what subject, not its substance.
5. What is your understanding of an individual alderman's authority, if any, to direct, instruct or make requests of a Town employee? What is the basis of that understanding?
6. Do you contend that the office of Vice Mayor carries any authority that an alderman does not have? If so, state the authority and its source.
7. When you communicate with a Town employee, an appointed board member or another elected official about Town matters, how do you decide whether you are acting as an alderman, a candidate, or a private citizen? How would the recipient know which role?
8. Do you contend that the Code applies to an alderman's conduct on a personal social media account or outside Town business hours? Please explain.

Section B: Your Complaint Regarding the Public Comment Time Limit

On October 10 and October 12, 2026, you filed complaints that Mayor Akin violated the Resolution by extending public comment from two minutes to three. At the October 8 Meeting, the Mayor said that after the Forum, Pam Givens told him, "Mayor, now you know how it feels. Sometimes two minutes ain't enough," and that, mindful of her advice and as his prerogative, he would allow three minutes. At the October 13 Meeting, he said the Board had told him he exceeded his authority, that the Resolution allows more time at his discretion when a speaker asks, the time for public comment was two minutes, and that a resolution making it three minutes would be on the November agenda.

1. Your complaints cite Resolution 23-07-02, but the resolution setting the two-minute limit is 23-08-02, a copy of which accompanied your complaints. Did you mean 23-08-02? If not, identify the provision you rely on.
2. Do you contend that exceeding the time limit under the Resolution is by itself an ethics violation? If not, what else makes it one?

3. Which provisions of the Code do you contend the Mayor violated, and how?

4. Did you witness Ms. Givens speak to the Mayor after the Forum? Did Ms. Givens ever express the same or a similar view to you?

5. Do you believe the Mayor's stated reason for extending public comment was false, incomplete, both, or neither? If false or incomplete, provide any document or identify any witness that supports another reason.

6. Did you raise a question or objection when the Mayor announced the change, or at any other point during the October 8 Meeting? If not, why not?

7. When did you first become aware that § 2.D of the Resolution did not allow the Mayor to extend the time limit on his own?

8. Did the extension benefit, disadvantage or otherwise affect you or anyone else? Please explain.

9. What action do you ask the Board to take on this complaint?

Section C: Your Complaint That the October 8 Meeting Was Coordinated

On October 12, 2026, you asked the Town Attorney to investigate whether the October 8 Meeting "was contrived to discredit a local candidate," and asked that the Skinner Email be added to your complaint. The Skinner Email states that Commissioner Skinner received "numerous calls, emails and text messages from residents in District 4" about the October 8 Meeting, that a resident felt it was "no coincidence" the meeting included an extension of time for public comment, and that the meeting "was perceived as contrived to discredit a mayoral candidate." Your October 10, 2026 email states, in reference to the October 8 Meeting, your "concern this was a coordinated attack on me during a heated election season."

1. State every fact supporting this allegation: who you contend arranged or coordinated the speakers or the public comments, what each person did, and when.

2. Other than opinions or perceptions, including those described in the Skinner Email, do you have any evidence that the speakers at the October 8 Meeting coordinated their comments, or that anyone arranged for them to speak, to attack or discredit you during the election? For this question only, please set aside opinion; you may address opinions and perceptions anywhere else in your responses. Evidence here includes something you saw or heard yourself, a communication, a document, a recording, or a person with first-hand knowledge.

   (a) If so, please describe each item of evidence, state how it came to your attention or possession, describe anything you saw or heard yourself, and provide me a copy of any written communication, document, or recording. If it is a person with first-hand knowledge, state the person's name, the substance and basis of their knowledge to the extent you know, and their contact information, if you know it.

3. Do you contend that anyone who filed a complaint or spoke at the October 8 Meeting, including Krista Scott, Brook Taylor, Alderman Detje, or Stephen Shopher, acted at someone else's request or direction? If so, identify who directed whom, and please state your basis.

4. Do you contend that Mayor Barry Akin knew Krista Scott, Brook Taylor, or any other person planned or intended to speak at the October 8 Meeting, knew or suspected the subject matter of their comments, and that is why he extended the time for public comment? If so, please state why you contend Mayor Akin knew that information or any similar information. If not, why do you think Mayor Akin extended the public comment period?

5. Do you contend that any of the factual allegations Ms. Scott or Ms. Taylor made against you are false?

6. Which provisions of the Code or Charter do you contend were violated in connection with this complaint, and by whom? What action do you ask the Board to take?

Section D: The Complaint About Claims Raised at the October 8 Meeting

On October 9, 2026, Alderman Detje asked the Town Attorney to investigate claims citizens raised at the October 8 Meeting concerning "alleged actions on Facebook, including the sending of messages of support, the distribution of objectionable images, the removal of posts, and related public online postings."

Based on the language in Alderman Detje's complaint and the video of the October 8 Meeting, the comments made by Krista Scott and Brook Taylor are included in this investigation. Amanda Faurbo and Andrew Stroud also addressed remarks you made at the Forum. Their comments did not allege conduct by you under the Code or Charter, so they are not addressed in these questions. You may address their comments in any part of your responses or at the end, if you wish. The other speakers at the October 8 Meeting did not address you at all.

1. Is there anything about this complaint, as described, that you want in the investigation record?

The Krista Scott Complaint and the June Facebook Post

On June 12, 2026, you sent two messages about reactions to the June Facebook Post: one to Krista Scott's husband, Atoka Fire Chief Bill Scott, and the other to Alderman Chris Detje. Krista Scott spoke at the October 8 Meeting and submitted a separate written complaint to the Town Attorney on October 9, 2026. Krista Scott's complaint will be merged with the Detje complaint to the extent they overlap.

The Scott Message reads: "I am going to kindly ask that your wife remove the like on Amanda's post on Facebook. She has me blocked so I can't defend myself." The next morning Chief Scott replied that he would "have it removed," and then, "Done."

The Detje Text reads: "I am going to kindly ask you to remove your like from Amandas post or unfriend me. Ball is in your court. She has me blocked so I can't see the post."

At the October 8 Meeting you said to Krista Scott that "it wasn't just your husband [Atoka Fire Chief Bill Scott] that I reached out to, there was actually multiple Town employees" and that your request "clearly stated, in light of this heated political climate I would appreciate it if you would remain neutral." In the November 7 Email you wrote: "Several Town employees had liked, loved, commented on, or shared the Facebook post. Given that we were in the middle of an election campaign, my intent was simply to ask whether Town employees could remain neutral in their public engagement with campaign-related social media posts."

The messages

2. The Scott Message appears to have been sent from your "John Harber for Atoka Mayor" Facebook account. Is that correct? Please provide the complete thread, including the part showing the sending account.

3. Do you dispute the wording of the Detje Text or the Scott Message? If so, give the correct wording and its source.

4. At the October 8 Meeting you said you had contacted "multiple town employees." Identify every Town employee, official, board member or anyone else you contacted about the June Facebook Post or any reaction to it. For each, state their position, the date, the method of your request (text, Facebook Messenger, email), what you asked, and how they responded.

5. Other than the Detje Text and the Scott Message, do any written communications exist between you and anyone about the June Facebook Post or reactions to it? If so, provide them; if any were deleted or lost, explain.

Neutrality

6. Do you dispute your October 8 Meeting statements about remaining neutral quoted above? If so, give the correct wording.

7. Neither the Detje Text nor the Scott Message mentions a heated political climate or remaining neutral. Do you have any written message to anyone about the June Facebook Post that does? If so, provide it; if not, explain why you described your requests that way at the October 8 Meeting and in the November 7 Email.

8. At the October 8 Meeting and in the November 7 Email, you described your requests as asking people to "remain neutral." In an election, voters, including Town employees acting as private citizens, may support or oppose a candidate, including on social media. What did you mean by "remain neutral," and what were you asking them to do or not do?

9. The November 7 Email says several Town employees "liked, loved, commented on, or shared" the June Facebook Post. In the Scott Message and the Detje Text you mention that Ms. Faurbo "blocked" you. Identify each Town employee who reacted to, commented on, or shared the post, and explain how you learned of it if Ms. Faurbo had blocked you.

10. Did Ms. Faurbo block you from her personal Facebook account, so that you could not view, react to or comment on her posts? If so, how did you know who had reacted to the June Facebook Post, and how did you come to follow the reactions to it?

11. In the Detje Text you wrote, "remove your like from Amandas post or unfriend me. Ball is in your court." What did you mean, and what choice were you giving Alderman Detje?

12. What did you want each person you contacted to do, or not do? What did you think would happen if the reactions stayed on the post?

13. Did you consider how a Town employee would view a request the same as or similar to the Scott Message or Detje Text coming from you as a sitting alderman, Vice Mayor and mayoral candidate? Did you tell any of them or anyone else you may have contacted that they were free to decline?

Requests about other posts

The following questions concern conduct similar to that addressed above.

14. During 2026, did you contact Sandy Styer's husband about Ms. Styer? If yes, for what purpose?

15. If your answer to question 14 above is yes, was the contact after Ms. Styer commented on your social media about you, your construction company, and/or construction at Gateway Baptist Church? Did you discuss Ms. Styer's social media comments with her husband? If so, why? Please provide any social media post or comment the contact concerned, including any post of yours on which she commented.

16. If a comment Ms. Styer made on your social media prompted you to contact her husband, if you did so, why did you not contact Ms. Styer directly? If you contacted or attempted to contact Ms. Styer directly, please state when and by what means.

17. Other than the Scott Message and any contact addressed in questions 14 through 16, in 2026 have you contacted the spouse or another family member of any person about that person's social media post, comment or reaction concerning you or on your social media? If so, identify whom you contacted, when, and what you asked of them.

18. In 2026, have you asked any person, business or organization to remove, edit or hide a post, comment or reaction, or to refrain from making one on any social media post about or referring to you? If so, provide a copy of each request and the post.

19. Have you made a similar request about any social media post concerning any other candidate on the 2026 ballot, including but not limited to Barry L. Akin, Chris Ballard, Sherrye Lynn Dodson, Cody Pace, Stephen Shopher, Darren Walker, Heather White, Brett Giannini, David Kustoff, Heidi Kuhn, Charlie Hatcher, Chaz Molder, Bill Hagerty, Marquita Bradshaw, Marsha Blackburn, Jerri Green and David Hatley? If so, provide a copy of each request and the post.

Chief Scott

20. Why did you ask Chief Scott to have his wife remove her reaction, rather than asking her yourself?

21. Chief Scott replied that he would "have it removed," and then, "Done." On June 12, 2026, and in the six months prior, how would you describe your relationship with Chief Scott? Did you understand him to be acting because of your position with the Town?

22. Did you consider how Chief Scott would view a request from a sitting alderman, Vice Mayor and mayoral candidate? Did you tell him he was free to decline?

First Amendment and use of position

23. Did you consider whether asking a person to remove or refrain from speech on a personal social media account, while off duty, might implicate that person's First Amendment rights? If so, what did you conclude?

24. What purpose did each of your requests to Town employees, elected officials and appointed board members serve?

25. Did you expect removing reactions to the June Facebook Post to affect the election in any way? Did your requests have any purpose unrelated to the election? Please explain.

26. When you sent the Detje Text, the Scott Message, and any other message on the same subject with the same or similar request, were you acting as an alderman, Vice Mayor, candidate or private citizen? How would each recipient have known?

27. Since June 13, 2026, have you communicated with Ms. Scott or Chief Scott about the June Facebook Post, the Scott Message, or this investigation? If so, state when and what was said.

Section E: The Brook Taylor Comments

The Board appointed Brook Taylor to the IDB on August 11, 2026. On October 7, 2026, you sent her the Taylor Message through Facebook Messenger. At the October 8 Meeting, she spoke about your remarks about the IDB at the Forum and about the messages and images she received from you.

The Taylor Message

1. Do you dispute sending the Taylor Message and its six images? Please provide the complete thread, including the images as sent.

2. What prompted you to send the Taylor Message, and what did you want Ms. Taylor to do in response? To the extent you contend that Ms. Taylor did not know about the EDA Contract or the Roland Posts, what is your basis to believe she did not know?

3. Based on your statements at the October 8 Meeting, I understand each of the following to be your position in general terms. For each, state whether it is correct, and if not, give your correction.

    (a) You are offended by the Roland Posts made on his personal Facebook page.

    (b) Because of those posts, you believe Mr. Roland and EDA should not represent the Town in any capacity.

    (c) You believe the IDB's continued business relationship with EDA creates a conflict of interest.

    (d) You sent the Taylor Message to make Ms. Taylor aware of the Roland Posts and of what you believe is a conflict of interest.

4. You voted to approve Ms. Taylor's appointment on August 11, 2026, less than two months before you sent the Taylor Message. Did you consider how she would receive the Taylor Message from a sitting alderman, Vice Mayor and mayoral candidate who had voted on her appointment?

5. You sent the Taylor Message the day before the October 8 Meeting and one week before early voting began. Why did you send the Taylor Message on October 7?

The Forum

6. During your comments at the Forum you said "Captain Stroud" and "Amanda" "came in the meeting and attacked me." Did you mean Andrew Stroud and Amanda Faurbo, and do you dispute that account of your remarks at the Forum?

7. As you said those names, it appears on the video of the Forum that you pointed toward different areas of the audience. Were you pointing at those individuals, and if so, why?

8. What did you intend by naming those individuals from the Forum podium?

9. What did you intend your Forum statements about the Planning Commission and the IDB to convey?

10. Some speakers at the October 8 Meeting have stated that your remarks at the Forum motivated them to speak. Do you believe any speaker was motivated to speak by your Forum remarks, or by any other reason, rather than as part of a coordinated attack on you? Please explain the basis for your belief.

The residency inquiry

11. On October 11 and 12, after the October 8 Meeting, you asked the Town Attorney whether Ms. Taylor met the IDB bylaws' qualification requirements, citing her residence at 290 Billings Drive as outside the Town limits. When did you first question her residency, and what prompted you to raise it on October 11?

12. Before voting on her appointment, did you review her qualifications? Have you ever questioned the residency or qualifications of any other IDB member or member of any other Town board, and if so, whom and when?

13. Do you contend your residency inquiry was unrelated to Ms. Taylor's remarks at the October 8 Meeting? Please explain.

14. Other than your inquiry to the Town Attorney, did you take any step regarding Ms. Taylor's IDB seat, residence or qualifications, including contacting any IDB member, Town employee or county office? Identify each step, the date and the person contacted.

Section F: The Stephen Shopher Complaint

On October 13, 2026, Planning Commission Chairman Stephen Shopher reported that on the evening the Kroger expansion was on the Planning Commission agenda, which, according to the minutes, was January 23, 2024, you called him and instructed him to call every member of the Planning Commission and tell them to approve the vote, saying "we can't lose Kroger and need to give them whatever they want." He states that he refused and reported the call to the Tennessee Comptroller's office.

1. Do you dispute any part of Mr. Shopher's account? If so, give your correction.

2. Did you call Mr. Shopher about the Kroger item? If so, state your recollection of the conversation.

3. Did you ask him to contact other planning commissioners before the vote?

4. If you made the call, what was its purpose and what outcome did you want?

5. On January 23, 2024, you were the Board's appointed member of the Planning Commission, and the minutes record you as present when the Commission approved the Kroger site plan with conditions. If you asked Mr. Shopher to contact other commissioners about the Kroger item before that vote, did you consider whether doing so raised any concern under the Open Meetings Act? What did you conclude?

6. Did you, or any business you own, have a financial or personal interest in the Kroger expansion or the Kroger property? Have you performed, bid on or sought work related to either of them?

7. Did you know before October 13, 2026 that Mr. Shopher had reported the call to the Comptroller?

Section G: The IDB Consultant

Ms. Taylor's comments at the October 8 Meeting and Alderman Detje's complaint concerning "the distribution of objectionable images" relate to your statements about the IDB and EDA and to the Roland Posts. The following questions give you the opportunity to explain the basis for those statements and actions.

On October 28, 2025, during a special called meeting, the IDB voted to enter into contract negotiations to retain EDA as consultants. On November 20, 2025, the IDB discussed the EDA Contract. According to the minutes of the meeting, you attended and spoke during the public comment period to voice your "concerns regarding the hiring of [EDA], noting that the firm is newly formed, a member's current employment, inappropriate social media posts by a member, EDA's lack of online presence and discussed the budget IDB set for themselves." After the public comment period, the IDB discussed the EDA Contract details, voted to make specific changes to the contract, and, in a roll call vote, all IDB members present voted to approve the contract with the necessary changes. On January 16, 2026, you sent a series of emails to Town officials and IDB members about the Roland Posts, and on January 30, 2026 you sent an email to select individuals associated with EDA about the Roland Posts.

At the October 8 Meeting, after Ms. Taylor's comments, you stated, in part, that the Roland Posts were "not private but public, anybody can go on his page and see these posts." Immediately following those statements you said, "There was no RFQ issued. None. Terry Roland's firm was issued. The contract was bought before the chairman of the planning commission, unfinished, uncompleted, with an offer of maybe we need to give him $50,000. There's a very potential conflict of interest between the chairman and Terry Roland." You later added: "... that is the reason why I made the motion to put the funding of IDB in savings last year. And you'll notice there was no funding in IDB from the town this year, because right now this board has a direct conflict with the IDB and their consultant."

Your October 8 statements

1. When you said "the chairman of the planning commission," did you mean the chairman of the IDB? Please identify by name the chairman you meant.

2. Do you contend the IDB was required to issue an RFQ or other competitive solicitation to retain a consultant? If so, state the basis.

3. When you said "There was no RFQ issued. None," did you know the IDB approached two other consultants, Mark Herbison and Charles Gullatta, who both declined, and that EDA was the only consultant to submit a proposal? What was the basis for that statement?

4. What did you mean by "a very potential conflict of interest between the chairman and Terry Roland"? Have you raised it with any official with authority to act, and if so, when, with whom and how? Please provide any document that supports your answer.

5. You said "that is the reason why I made the motion to put the funding of IDB in savings last year. And you'll notice there was no funding in IDB from the town this year, because right now this board has a direct conflict with the IDB and their consultant." Based on a review and study of the Town's budget ordinances for FY 2024, FY 2025, FY 2026, and FY 2027 and IDB minutes and bank records, it appears:

    (i) FY 2025 allocated funds, and the Town paid the IDB $100,000 in January 2025;

(ii) FY 2026 allocated $100,000 to the IDB, but it was paid into savings for the IDB and not paid to the IDB directly. The minutes from the June 2025 IDB meeting state, "The $100,000 budgeted for IDB remains in savings until disbursed, with a goal of long-term self-sufficiency."

(iii) FY 2027 does not appear to make an allocation to the IDB. The minutes from the August 2026 IDB meeting state, "Chair Jim Craig inquired about the IDB's $100,000.00 currently being held in a savings account by the Board of Mayor and Aldermen."

To the extent you dispute or disagree with (i), (ii), and/or (iii), please say so and why. What did you do, if anything, in your official capacity as alderman or in any other capacity to reduce, restrict or eliminate the Town's appropriation to the IDB in the FY 2025–FY 2027 budgets, and why?

6. What did you mean by your statement "right now this board has a direct conflict with the IDB and their consultant"? State the conflict as you see it between the Board and the IDB and EDA, and what authority, in your view, it arises under.

Your objections

7. To the extent your public statements have not already done so, describe your objections to the IDB's retention of EDA.

8. The minutes of the February 17, 2026 Board meeting state that, after returning from legal session, the Board unanimously approved a motion that Mayor Akin draft a letter to the IDB stating the grievances of the Board of Mayor and Aldermen and that it be presented by the Mayor to the IDB. The agenda for the February 19, 2026 IDB meeting lists "Work Session with the Board of Mayor and Aldermen – Consultant Communications" under new business. Minutes from that IDB meeting indicate that the following Town of Atoka officials were present at that meeting:

(i) Marc Woerner, Town Administrator
(ii) Anna Pond, Administrative and Communications Coordinator
(iii) Carla Grisham, Planning Clerk
(iv) Tom Langford, Building Official
(v) Bill Scott, Fire Chief
(vi) Anthony Rudolph, Police Chief
(vii) Wesley Yarbrough, Public Works Director
(viii) Mayor Barry Akin

The minutes further reflect under New Business that "Cary Vaughn and Terry Roland of Economic Development Advisors were present to address questions from the Board and asked the Board to share their priorities and goals for future development in Atoka."

Do you know whether the letter was drafted and presented to the IDB? What is the basis of your understanding? Do you know why the Mayor, Town Administrator, and multiple Atoka Department Heads and other employees were present at the February 19, 2026 IDB meeting?

9. Did the February 19, 2026 meeting address your objections to the IDB working with EDA? If not, why not?

10. In your view, what authority, if any, does the Board, the Mayor, the Town Administrator or any alderman have over the IDB or to rescind or terminate the EDA Contract?

January 2026 Emails

11. In the January 2026 Emails sent to Town officials, IDB members, and select EDA associates you attached screenshots of the Roland Posts. You also state in one of the emails that "Terry Roland has me blocked on Facebook. But I have a few friends that are checking on my behalf." Who "checked on [your] behalf," and why?

12. On January 30, 2026 you sent an email from your Town account to select EDA associates listed on its website that stated, among other things, "As an alderman of Atoka, I have concerns regarding Terry Roland after viewing his social media page" with the Roland Posts attached. How did you choose the recipients? Did you send a separate email that stated the same or substantially similar things to other associates of EDA? If so, please provide me a copy.

13. Do you agree that during 2026 you contacted IDB members on multiple occasions to reiterate your objections to Mr. Roland and his social media posts? If not, please state your correction.

14. In your view, what further action, if any, is available to an individual alderman, the Mayor or the Board regarding the Roland Posts?

15. Do you, or any business you own or have an interest in, have any financial or business interest that could be affected by the IDB's work, the EDA Contract or any IDB project? If so, please list said interests, and any work performed, bid on or sought out.

Section H: Intent, Authority and Awareness

1. Before taking any of the actions described in these questions, did you do anything to question or confirm the limits of your authority as an alderman?

2. Before October 8, 2026, did anyone raise a concern with you about any conduct described in these questions? Without disclosing communications with your attorneys, identify who, when, what they said and how you responded.

3. Do you contend that each action described in these questions complied with the Code and the Charter? If so, please explain why.

4. Looking back, is there anything described in these questions that you consider a mistake or would do differently? Please explain.

Section I: Documents and Closing

1. If there is any document, correspondence, recording or other item of any type that I have not requested in these questions that in your view is of substantive importance or that you want to include in this investigative file, please provide me a copy.
2. Is there anyone you believe has material knowledge bearing on any of the questions asked herein or on any of the allegations within the scope of my investigation whom I should interview? For each, please state who they are, what they know, and their contact information to the extent you know it.
3. If there is anything else you want to say in response to the allegations against you or concerning your conduct or in support of the complaints you filed against Mayor Akin concerning his conduct, please add it here.

Acknowledgment and Signature

By signing below, Alderman John Harber states:

1. I have read and understand the instructions preceding these questions.
2. I read each question before responding and, where a question was unclear, stated my understanding of it.
3. My responses are given freely and voluntarily, and upon the advice of counsel.
4. My responses are true and correct to the best of my knowledge and recollection.
5. My responses contain my full account of the matters addressed or within the scope of this investigation, to the extent I have chosen to provide it. I have not been prevented from giving any response I wanted to give.
6. Where I wrote "decline," I understand that I have given no response to that question.
7. I understand that I may supplement or correct any response before the written report is submitted to the Board, that a supplement will be treated as part of my response, and that a response submitted after the report is submitted may not be reflected in it.
8. I understand that my responses will be part of the investigative file, that they may be quoted in or attached to the written report to the Board, and that the report and its attachments may be subject to the Tennessee Public Records Act.

_____

John Harber, Alderman, Town of Atoka

Date: _____

By signing below, counsel states:

I am counsel to Alderman John Harber in this matter. His responses were prepared and submitted with my knowledge and upon my advice.

_____

David Pickler, Counsel for Alderman John Harber

Date: _____

PRIVILEGED EXHIBIT 1

Mar. 31–Apr. 1, 2026

Email from Alderman John Harber to Town Attorney Amber Shaw, March 31, 2026, and Her Response of April 1, 2026, Regarding His Facebook Posts About Terry Roland (Mayor Akin, Town Administrator Woerner and Ed McKenney Copied)

(1 page)

From: John Harber <jharber@atokatn.gov>
Sent: Tuesday, March 31, 2026 6:27 PM
To: Amber Shaw <ashaw@harrisshelton.com>
Cc: Marc Woerner <mwoerner@atokatn.gov>; Ed McKenney <emckenney@harrisshelton.com>; Barry Akin <bakin@atokatn.gov>
Subject: Re: facebook posts

CAUTION-EXTERNAL MESSAGE

Amber,

First, I will say that I highly respect you, your legal experience, your firm and I completely understand your concerns.

I did have my wife update her comment to clarify the IDB versus the Board of Mayor and alderman.

However, at this time I am not going to remove the post. Everything in this post is already written in a similar fashion in a months old post on my Alderman page. And I am on record in a Public IDB meeting sharing the same concerns regarding the posts Terry Roland has decided to share on his public page. Along with multiple emails sharing concerns to our IDB before the contract was signed.

I am disappointed the attorney representing our IDB read the contract and allowed the moral turpitude clause (specifying social media). It seems a disconnect to miss knowing such clause was not enforceable due to first amendment rights.

So, to be clear Terry Roland is free and clear to blatantly post moral turpitude issues and be protected because of his first amendment rights. But I am advised to back off out of a potential lawsuit in spite of my first amendment rights. Even though his posts are "public" for anyone to see, copy and share. Seems one sided to me. You are correct that I am a good steward of the tax payer dollars. That makes it even worse the IDB pursued full speed ahead despite my concerns.

Sincerely,

John Harber

From: Amber Shaw
Sent: Wednesday, April 1, 2026 1:22 PM
To: John Harber <jharber@atokatn.gov>
Cc: Marc Woerner <mwoerner@atokatn.gov>; Ed McKenney <emckenney@harrisshelton.com>; Barry Akin <bakin@atokatn.gov>
Subject: RE: facebook posts

John,

I felt confident that the nature of our relationship was such that I could email you and you would fully understand the spirit of my email, and I understand your response.

I do not disagree that it is frustrating to see things happen this way. Personally, I do not think Mr. Roland is the best advertisement for any municipality. However, my role is to advise the Mayor and Board of Aldermen, and my personal opinions sometimes do not have a place in that.

I am sure it seems unfair that I'm emailing you when Roland is being himself on social media, seemingly without consequence. My perspective is always what is best for the Town. My role ends with the Mayor and Board of Aldermen and does not extend to the IDB. We cannot control the IDB or their attorney. They're independent. We have to let them make their own mistakes. The best thing you could probably do in this instance is to ask to be appointed and become a member of that Board to effect the change you want, in your personal capacity. Another thing is also not to continue to confuse the public when you are repeating your opinions, because they don't know the difference between your personal opinions and the Town's. When your wife, who knows so much about the Town, makes a reference to you standing up to a Board, and does not clarify it is the IDB as opposed to the Board you sit on, that adds to the confusion and your role in this.

Along those lines, you are welcome to continue to tell the people involved how you feel – but I would not suggest doing so in a public forum, or from your Atoka email address. Not because your opinions need to be stifled, but because it is impossible for a typical taxpayer or person involved in this situation to differentiate between your personal opinions, which these are, and the Town's position.

It is fundamentally unfair to the Town to be pushed into defending your personal opinions, and have litigation exposure that you created and are continuing to create by repeating your personal opinions and not differentiating those from your position as an alderman. We know that you aren't trying to speak for the Town; we know your character and your passion are reflective of who you are. Other people don't and won't see it that way, and most importantly, the Court is not likely to see it that way, and that's why it's a problem I am addressing with you.

I hope that you will strongly consider the disclaimer I mentioned in my last email, so that the Town does not end up with increased exposure as this dispute continues.

Amber Griffin Shaw | Attorney at Law

harris|shelton

114 W. Liberty Ave., Suite 300

Covington, TN 38019
Tel 901.476.7100 | Fax 901.726.3984
ashaw@harrisshelton.com

PRIVILEGED EXHIBIT 2

Oct. 9, 2026

Email from Town Attorney Amber Shaw to Board of Mayor and Aldermen, Marked “Attorney Client Privileged and Not for Distribution,” Declining to Act as Ethics Officer and Requesting a Special Called Meeting to Appoint Outside Counsel; Alderman Harber’s Reply to Town Attorney Above

(2 pages)

Amber Shaw

From: John Harber <jharber@atokatn.gov>
Sent: Friday, October 9, 2026 4:18 PM
To: Amber Shaw
Subject: Re: Request for Special Meeting and Report
Attachments: 1000030101.jpg

CAUTION-EXTERNAL MESSAGE

Attached is the message since to Chief Scott. The date was June 12th. I am wondering why the delay to file a request for ethics violation? I have no problems with the investigation. I'm just concerned the timing is not coincidence it's during the voting period.

I assume the report would take some time. In the meantime, the public is made aware and potential judgments are passed, with votes, before the investigation could conclude.

My request is we wait until the next regular called meeting. Since it's been 119 days, I dont see a delay waiting until the next meeting on Nov 10.

I sent this reply to only you out of sunshine law. I don't want to persuade any other board members.

Thank you,

John Harber
901-870-3485 Cell
https://www.atokatn.gov/

From: Amber Shaw <ashaw@harrisshelton.com>
Sent: Friday, 09 October 2026 14:49:33
To: Alderman@townofatoka.com <alderman@atokatn.gov>; Barry Akin <bakin@atokatn.gov>
Subject: Request for Special Meeting and Report

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Attorney Client Privileged and Not for Distribution

Dear All,

I have received two written requests this morning to address and investigate any potential ethical issues that exist related to the allegations made against Alderman Harber last night. Alderman Harber has additionally received an

email related to the matters. If someone reaches out to any of you in writing with further or other complaints, please let me know right away.

As I am the attorney that gave him legal advice in his role as alderman on both issues, namely being the 1st Amendment Facebook issue and the Terry Roland issue, I do not feel it is appropriate for me to also act as ethics officer in investigating these claims since the written requests have now triggered our ordinance. I do believe that it is crucial to immediately address the requests and not delay them or postpone them until the new board is installed, and I am asking for a special called meeting for you all to consider a motion to appoint outside counsel to investigate these claims and any others that may come up where I'd have a conflict. The reason I've phrased it that way is so we can minimize me having to ask the Board for "a motion to address the written requests as to potential ethical issues", because that will just cue others to generate more requests which then makes me have to ask for more meetings, etc.

It can work against the positive perception of the Town for us to not handle these tasks expeditiously and may also result in additional complaints being made. I certainly do not want any more of the Town's conflicts being addressed in a public forum, which is why I asked you last night for a motion to permit me to hire outside counsel right away. The ordinance states that upon any written request (from anyone, not just an employee), the ethics officer may investigate or request the Town to appoint an outside investigator/counsel to address these claims. I think it is particularly important to show that we are not hiding anything, that our position is that we want these issues investigated and Alderman Harber cleared of any wrongdoing, and that we will address this post haste.

Because the motion last night did not get a second, I am asking for a special called meeting with the sole item on the agenda to be the hiring of outside counsel. I have spoken with Rachel Simmons, the attorney for Covington. She is willing to conduct the investigation at the reduced rate of $200 an hour. She can begin as soon as she is appointed by the board. I did not go into great detail, so I wasn't able to get a thorough estimate from her, but she estimated that generally with two limited issues to address, she thought it may take her four or five hours. It may take more once she gets into it.

In the meantime, if ANY of you are approached by any media please respond "no comment" or refer them to me. I would remind everyone that 1) texting is generally discoverable unless it's your attorney, 2) emailing would also fall under the same discoverable nature, and 3) if there is discussion between you all, please do not indicate how you would vote on any issue before you.

Last night was difficult for many reasons, but I know this Board values transparency and addressing problems head on. So do I, and I look forward to answering any questions you may have.

Amber Griffin Shaw | Attorney at Law

harris | shelton

114 W. Liberty Ave., Suite 300
Covington, TN 38019
Tel 901.476.7100 | Fax 901.726.3984
ashaw@harrisshelton.com

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PRIVILEGED EXHIBIT 3

Oct. 11–12, 2026

Emails Between Alderman John Harber and Town Attorney Amber Shaw Regarding IDB Member Brook Taylor’s Residency; Town Attorney Advises That the Request Will Be Perceived as Retaliation Against a Complainant

(4 pages)

Amber Shaw

From: John Harber <john@harberforatoka.com>
Sent: Monday, October 12, 2026 2:26 PM
To: Amber Shaw
Subject: Re: Residency

CAUTION-EXTERNAL MESSAGE

Good question. I went back and looked at the meeting minutes from 8/11. I confirmed that a motion was made, received a second, and everyone was in favor of her appointment. Including myself.

However, my yes was based on her comments during the meeting. See the attached https://www.youtube.com/watch?v=EHtdpvwvsZ8
Brook Taylor addresses the board starting at 14:42 and speaks until 16:15. Her comments include that she has been here her whole life. Born and raised in Atoka. Her Dad bought a lot from Charles Walker. At 16:26 the Mayor confirms he also previously spoke with Mrs. Taylor. I don't know the details of that conversation. I would hope that conversation included the roles of the position and a review of the IDB bylaws prior to appointment.

Again, I only want to confirm that she does live within the city limits. I am not accusing she does not. It could be a simple misunderstanding on my end.

Thank you,

John Harber

On Mon, Oct 12, 2026 at 12:59 PM Amber Shaw <ashaw@harrisshelton.com> wrote:

> Alderman Harber,
>
> The question I foresee being at issue is why you did not check this information before you confirmed her appointment, but after she spoke out and was critical of your messages to her. I am going to look into it at your request, but you need to understand that from a legal advice perspective, this "does not pass the smell test."
>
> Kindest regards.
>
> Sincerely,

Amber Griffin Shaw | Attorney at Law

harris | shelton

114 W. Liberty Ave., Suite 300

Covington, TN 38019
Tel 901.476.7100 | Fax 901.726.3984
ashaw@harrisshelton.com

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From: John Harber <john@harberforatoka.com>
Sent: Monday, October 12, 2026 12:36 PM
To: Amber Shaw <ashaw@harrisshelton.com>
Subject: Re: Residency

CAUTION-EXTERNAL MESSAGE

Thank you for the advice. I understand the concern, but this is simply a matter of ensuring our board members meet the residency qualifications required by the IDB bylaws. I am not trying to retaliate against anyone, just confirming that our board appointments are compliant with the town's rules.

John Harber

On Mon, Oct 12, 2026, 11:53 AM Amber Shaw <ashaw@harrisshelton.com> wrote:

> Alderman Harber,
>
> I will work on this. However, I will also advise you that this question will be perceived like you're attempting to retaliate against someone who complained about you.
>
> Kindest regards.

Sincerely,

Amber Griffin Shaw | Attorney at Law

harris|shelton

114 W. Liberty Ave., Suite 300

Covington, TN 38019
Tel 901.476.7100 | Fax 901.726.3984
ashaw@harrisshelton.com

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From: John Harber <john@harberforatoka.com>
Sent: Sunday, October 11, 2026 10:20 PM
To: Amber Shaw <ashaw@harrisshelton.com>
Subject: Residency

CAUTION-EXTERNAL MESSAGE

https://files-backend.assets.thrillshare.com/documents/asset/uploaded_file/5829/Toa/ecc6aa0c-9fd6-4858-9d4e-db70dd9ee89d/Packet.pdf?disposition=inline

Section 6. Qualifications. All members of the Board must be duly qualified electors and taxpayers of the Town of Atoka. No director shall be an officer or employee of the Town of Atoka.

Can you confirm the address for Brook Taylor on our IDB board? The only public record I can find is 290 Billings Drive. This is outside of the city limits of Atoka. However, she might own another property of which I am unaware.

https://tnmap.tn.gov/assessment/#/parcel/084142D+A+02600

At this time I am not wanting to make accusations. I am only looking to confirm that Brook Taylor does live inside the city limits of Atoka per the bylaws. It might be possible to confirm based on the sign-in sheet filled out to speak at the meeting last week. But I don't have a copy of that

John Harber

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PRIVILEGED EXHIBIT 4

Nov. 15–17, 2026

Written Questions to Aldermen, to the Town Administrator and Town Recorder, and to Mayor Akin, With the Cover Emails and the Responses Received (Aldermen Giannini and Poole; Mayor Akin)

(33 pages)

Written Questions and Responses — Contents

A. Aldermen

Cover email to Alderman Chris Detje, Nov. 15, 2026, 6:00 p.m.	pp. 2–3
Cover email to Alderman Jeremy Lightsey, Nov. 15, 2026, 6:00 p.m.	pp. 4–5
Cover email to Alderman Chris Schaeffer, Nov. 15, 2026, 6:00 p.m.	pp. 6–7
Written Questions to Aldermen (attachment to each cover email)	pp. 8–13
Alderman Brett Giannini's response, Nov. 16, 2026 (declines to answer), with the cover email to him	pp. 14–15
Alderman Jessie Poole's response email, Nov. 16, 2026, with the cover email to him and Special Counsel's acknowledgment	pp. 16–18
Alderman Poole's handwritten answers to the Written Questions to Aldermen	pp. 19–24

B. Town Administrator and Town Recorder

Cover email to Town Administrator Marc Woerner and Town Recorder Rachel Covarrubias, Nov. 15, 2026, 5:44 p.m.	pp. 25–26
Written Questions to Town Administrator and Town Recorder	pp. 27–31

C. Mayor Akin

Email to Mayor Akin with two additional written questions, Nov. 17, 2026, 8:28 a.m., and Mayor Akin's response, Nov. 17, 2026, 1:39 p.m.	pp. 32–33

Notes

- No responses were received from Aldermen Detje, Lightsey or Schaeffer.
- No response was received from Mr. Woerner or Ms. Covarrubias.
- Mayor Akin attached the Board's February 19, 2026 letter to the IDB; that letter is in Exhibit 17.
- D. Alderman Harber: the Written Questions to Alderman Harber, sent through his counsel on Nov. 17, 2026, are Exhibit 27. Neither Alderman Harber nor his counsel responded.

Outlook

Atoka Ethics Investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Sun 11/15/2026 6:00 PM
To cdetje@atokatn.gov <cdetje@atokatn.gov>

1 attachment (129 KB)
Written Questions to Aldermen.pdf;

ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Alderman Detje:

I am Rachel Simmons, the attorney appointed by the Board as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have sent an identical email separately to Alderman Brett Giannini, Alderman Jeremy Lightsey, Alderman Jessie Poole, and Alderman Chris Schaeffer. Alderman Harber and Mayor Akin, as the subjects of the complaints in this investigation, will not receive this email and will not be asked to answer these questions.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

I know the delay in my report was disappointing to everyone, including me. Ms. Shaw explained well why I requested it. In my judgment, a short delay was necessary to protect the integrity of this investigation and its results, and I appreciate the Board's understanding and accommodation. I have used the additional time to further scrutinize and consider the information I have, and I would now like to ask you some questions.

The written questions are attached, along with instructions for the questions and your responses. Whether you respond is your choice, and you are not obligated to respond at all. To the extent any of your responses include information you already provided to me, it isn't necessary that you send it again.

If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be a public record.

Thank you for your time.

Kind Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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Outlook

Atoka Ethics Investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Sun 11/15/2026 6:00 PM
To jlightsey@atokatn.gov <jlightsey@atokatn.gov>

1 attachment (129 KB)
Written Questions to Aldermen.pdf;

ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Alderman Lightsey:

I am Rachel Simmons, the attorney appointed by the Board as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have sent an identical email separately to Alderman Chris Detje, Alderman Brett Giannini, Alderman Jessie Poole, and Alderman Chris Schaeffer. Alderman Harber and Mayor Akin, as the subjects of the complaints in this investigation, will not receive this email and will not be asked to answer these questions.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

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If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be

a public record.

Thank you for your time.

Kind Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
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Outlook

Atoka Ethics Investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Sun 11/15/2026 6:00 PM
To cschaeffer@atokatn.gov <cschaeffer@atokatn.gov>

1 attachment (129 KB)
Written Questions to Aldermen.pdf;

ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Alderman Schaeffer:

I am Rachel Simmons, the attorney appointed by the Board as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have sent an identical email separately to Alderman Chris Detje, Alderman Brett Giannini, Alderman Jeremy Lightsey, and Alderman Jessie Poole.. Alderman Harber and Mayor Akin, as the subjects of the complaints in this investigation, will not receive this email and will not be asked to answer these questions.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

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If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be

a public record.

Thank you for your time.

Kind Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
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Written Questions to Aldermen

Town of Atoka Ethics Investigation

Instructions

I am outside special counsel to the Town of Atoka. The Board of Mayor and Aldermen appointed me at a special called meeting on October 13, 2026 to investigate ethics complaints received under Atoka Municipal Code Title 1, Chapter 4. I represent the Town.

These questions are going to every alderman other than Alderman Harber. They are the same for everyone. None of you is being singled out, and nothing in these questions suggests you did anything wrong.

1. **Responding is voluntary.** You may answer all of the questions, some of them, or none of them. If you choose to answer some questions and not others, write "decline" for each question you do not answer so that I know you did not accidentally omit a response. No explanation is required.

2. **Personal knowledge.** Answer from your own knowledge. If an answer rests on what someone else told you, on a document, or on your impression rather than something you saw or heard, please say so and identify the source.

3. **Detail.** For each question you answer, give as much detail as you are able and willing to provide. For every person you mention, give their full name, their role if any, and, if you know it, a phone number or email address.

4. **Dates and times.** Be as precise as you can. If you can only approximate, do so and mark the answer as approximate.

5. **Documents.** If a question refers to a message, email, screenshot or other document you have, please provide a copy of the complete item, not an excerpt: the whole thread, every page, and the part that shows who sent it and who received it.

6. **Unclear questions.** If a question is unclear, or rests on a premise you dispute, say so and answer it as you understand it.

7. **No question is an accusation.** Several questions quote statements by others. Quoting a statement is not adopting it, and asking a question about a subject does not mean it is a finding in this investigation. Where I have quoted statements, if you dispute the quotation as written, say so, and please provide the correction you contend is accurate and the basis for it.

8. **Independence.** Please do not discuss these questions or your responses with any other person who received them. The investigation needs each person's own account, and no part of this investigation should be made public until my final report is submitted to the Board.

9. **"Immediate family."** When that term is used in these questions, it means a spouse, parent, child, sibling, grandparent or grandchild, including step-, half- and in-law relations, and anyone else living in the same household.

10. **Format and delivery.** Answer in writing, in order, repeating each question number. You may type your answers below each question, in a separate document, or in an email. Please submit your responses to me at Rachel@owtnlaw.com by Tuesday, November 17, 2026, at 5:00 p.m.

11. **Supplementing.** You may supplement or correct any response you provide at any time before my report goes to the Board. A supplement received before then will be treated as part of your response.

12. **Use of your responses.** Your responses will be part of the investigative file. They may be quoted in or attached to my written report to the Board. The report and its attachments are subject to the Tennessee Public Records Act.

Background

On October 10, 2026, Tipton County Commissioner Jason R. Skinner (District 4 – Atoka) sent an email to Mayor Akin titled "Citizens response to the 10/8/26 BOA meeting" and asked that it be forwarded to all current aldermen. The Mayor forwarded it to the aldermen that afternoon. Commissioner Skinner's email states, in part:

> "**I have received numerous calls, emails and text messages from residents in District 4 detailing their concerns and complaints of the lack of control and decorum during the meeting. Allowing residents to speak loudly, almost to the point of yelling, towards a sitting alderman showed a sense of bias considering the timing of the upcoming election**."
>
> "**A resident also made it a point to reveal they felt it was no coincidence this particular meeting included an extension of time for public comment.**"
>
> "**The meeting was perceived as contrived to discredit a mayoral candidate. It was described to me as one-sided, unprofessional and uncontrolled.**"

The complaints within the scope of my investigation allege that at the October 8, 2026 Board meeting Mayor Akin extended the public comment period from two minutes to three in a manner inconsistent with the Town's public comment resolution. They also allege that public perception, at least by some, is that the meeting [October 8 regular Board of Mayor and Aldermen meeting] was "contrived to discredit a mayoral candidate" and, more specifically, that the citizens who spoke during the public comment period were coordinated to criticize Alderman Harber, then a candidate for Mayor. Questions 1 through 6 address those allegations.

The complaints also make allegations about Alderman Harber's use of social media. Questions 7 through 9 address the use of social media.

Questions — The October 8, 2026 Board Meeting

1. Before the October 8 meeting was called to order, did you know, or had anyone told you, that any person intended to speak during public comment about Alderman Harber, his conduct, or his candidacy for Mayor? If so, for each such speaker, state how you learned of it and from whom, when, and what you were told.

   Response:

2. Before the October 8 meeting, did you, directly or through anyone else, ask, encourage, suggest to or help any person to attend that meeting or speak during public comment? Before the October 8 meeting, did you communicate with any person who spoke during public comment about what they intended to say? If so, identify each person, and state when, by what means (in person, phone, text, email, social media or otherwise), and what was said.

   Response:

3. Do you know of any other person who did any of the things described in Question 2? This includes an elected official, Town employee, candidate, campaign, or anyone else. If so, identify each person, describe what they did, and state how you know.

   Response:

4. Before the October 8 meeting was called to order, did you know Mayor Akin would extend the time allowed for public comment for that meeting and all meetings going forward? If so, state how and when you learned it, and from whom. Do you know of any discussion about extending the time for public comment before the meeting? If so, describe it.

   Response:

5. Commissioner Skinner's email alleges that public perception, at least by some, is that the meeting was "contrived to discredit a mayoral candidate." It has also been alleged that the public comments criticizing Alderman Harber were coordinated to attack him prior to the election when he was a candidate for Mayor. Setting aside perceptions, impressions and opinions, whether yours or anyone else's, do you have any <u>evidence</u> that supports those allegations? Evidence here includes something you saw or heard yourself, a communication, a document, a recording, or a person with first-hand knowledge.

   (a) If so, please describe each item of evidence, state how it came to your attention or possession, describe anything you saw or heard yourself, and provide me a copy of any written communication, document, or recording. If it is a person with first-hand knowledge, state the person's name, the substance and basis of their knowledge to the extent you know, and their contact information, if you know it.

   (b) If you have no evidence, as described, please say so.

(c) If you hold the view that the meeting was contrived or coordinated to discredit or attack Alderman Harber, but your view rests on perception or impression, please say so and explain why you have that view.

Response:

6. Apart from the matters included in the scope of this investigation, Commissioner Skinner's email includes the statements described below. These are summaries of his statements and not necessarily quoted verbatim. Please review his entire email before responding. The email:

   (a) gives notice of disapproval of actions and comments made during the October 8 meeting;

   (b) reports complaints from District 4 residents about a lack of control and decorum during the meeting, and says that allowing residents to speak loudly almost to the point of yelling toward a sitting alderman showed bias, given the timing of the election;

   (c) criticizes comments made by some Board members during discussion of Town business;

   (d) relays second-hand perceptions of an unnamed person to support his opinion of how and in what role other individuals should address the Board; and

   (e) criticizes a Town employee by name for his public comments about his work for the Town on a matter of Town business that had been debated and discussed by the Board for months and a matter of public discourse in the election.

   Commissioner Skinner signs the email as a County Commissioner, indicating the email was from him in his capacity as an elected official representing Atoka in a separate governing body with no oversight of or authority over the business of the Town of Atoka. But he also writes in the email, "We, as citizens of Atoka, deserve and expect to see decorum and respect during meetings." On its face, the email blurs the distinction between Commissioner Skinner's capacity as a County Commissioner and his capacity as a citizen of Atoka. It raises a reasonable question about whether it is appropriate for an elected official of another governing body to make statements directing how the Board should conduct its meetings, manage public comments, and decide its own business, or to criticize individual members of the Board.

   It is my job to analyze the evidence received in the scope of this investigation and decide what weight to give the evidence based on many factors. The statements in Commissioner Skinner's email regarding the meeting being "contrived to discredit a mayoral candidate" are included in this investigation and will be evaluated in full. The statements described in this question are separate.

How did you receive Commissioner Skinner's email? In your response, please address:

(i) in what capacity you understood Commissioner Skinner to be writing, as a County official, as an Atoka resident, or both, and whether that affected how you received the email; and

(ii) whether you consider the statements described in (a)–(e) to be appropriate coming from an elected official of the County, and why.

Response:

Questions — Social Media

7. At the October 8, 2026 meeting, during the public comment period, a speaker disclosed that Alderman Harber sent a message to her husband, Atoka Fire Chief Bill Scott, asking that she remove her reaction to a June 12, 2026 Facebook post. During Alderman Harber's response to that speaker he stated:

> **"It wasn't just your husband that I reached out to. There was actually multiple town employees."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:25 of the video]
>
> **"It clearly stated, in light of this heated political climate I would appreciate it if you would remain neutral. That was my … that was my request."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:50 of the video]

Other than Chief Scott, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction or comment on that June 12 Facebook post be removed? The timeframe you should consider in responding to this question is January 1, 2026 to November 3, 2026. The term "anyone" means any organization, business, or person, **especially**: current or former Town employees, elected or appointed Town officials including you, members of any Town board or commission, and the immediate family of any of those individuals. For each person, state:

(a) their name and their position or relationship to the Town;

(b) when the contact occurred, if you know; and

(c) how you know of it. If you have copies or screenshots of the described contact, please provide me a copy.

Response:

8. Other than the June 12, 2026 Facebook post described in the previous question, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction, comment, or share be removed from, or not be made on:

    (a) any other social media post that a reasonable person would consider critical of Alderman Harber; or

    (b) any social media post that a reasonable person would consider critical of any other candidate for local office in the 2026 election?

   The timeframe and the definition of "anyone" in the previous question apply to this question. For each person, state:

    (i) their name and their position or relationship to the Town;

    (ii) the post involved, and when the contact occurred, if you know; and

    (iii) how you know of it. If you have copies or screenshots of the described contact or the post, please provide me a copy.

   Response:

9. Has any person you may have identified in your responses to the two questions above, or any member of their family, discussed it with you? This includes any concern they expressed about the request, about how to respond to it, or about any consequence of their social media activity. If so, identify the person and state when, and describe what was said. You need not repeat anything already given in answer to Questions 7 and 8.

   Response:

Documents and Additional Information

10. Please provide copies of any messages, emails, screenshots, notes or other documents you have that bear on any of your answers above, as described in Instruction 5. Also identify anyone not already named who you believe has information on either subject. Is there anything else on either subject you want in the record? If so, add it under "Additional information."

    Response:

Outlook

Re: Atoka Ethics Investigation

From Brett Giannini <bgiannini@atokatn.gov>
Date Mon 11/16/2026 8:26 AM
To Rachel Simmons <rachel@owtnlaw.com>

Good morning. My thoughts are this entire episode is and always was about a mayoral election. My position is the election is over and while Harber did something unadvisable, his intent wasn't unethical. Same for Akin. He made a poor decision violating the resolution but I don't think his intent was to give the commenters more time to criticize Harber. I'm ready to move on so I won't be answering the questions. Thank you and be safe!

Get Outlook for iOS

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Sunday, 15 November 2026 18:00:02
To: Brett Giannini <bgiannini@atokatn.gov>
Subject: Atoka Ethics Investigation

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Alderman Giannini:

I am Rachel Simmons, the attorney appointed by the Board as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have sent an identical email separately to Alderman Chris Detje, Alderman Jeremy Lightsey, Alderman Jessie Poole, and Alderman Chris Schaeffer. Alderman Harber and Mayor Akin, as the subjects of the complaints in this investigation, will not receive this email and will not be asked to answer these questions.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will

form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

I know the delay in my report was disappointing to everyone, including me. Ms. Shaw explained well why I requested it. In my judgment, a short delay was necessary to protect the integrity of this investigation and its results, and I appreciate the Board's understanding and accommodation. I have used the additional time to further scrutinize and consider the information I have, and I would now like to ask you some questions.

The written questions are attached, along with instructions for the questions and your responses. Whether you respond is your choice, and you are not obligated to respond at all.

If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be a public record.

Thank you for your time.

Kind Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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Outlook

Re: Atoka Ethics Investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Mon 11/16/2026 6:34 PM
To Jessie Poole <jpoole@atokatn.gov>

Received. Thank you, Chief Poole.

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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From: Jessie Poole <jpoole@atokatn.gov>
Sent: Monday, November 16, 2026 11:42 AM
To: Rachel Simmons <rachel@owtnlaw.com>
Subject: Re: Atoka Ethics Investigation

Rachael,
Sorry for the answers. Was using finger while traveling. Call me if any questions.
FYI, I don't have any social media.
J Poole

Get Outlook for iOS

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Sunday, 15 November 2026 18:00:18
To: Jessie Poole <jpoole@atokatn.gov>
Subject: Atoka Ethics Investigation

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ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Alderman Poole:

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I have sent an identical email separately to Alderman Chris Detje, Alderman Brett Giannini, Alderman Jeremy Lightsey, Alderman Jessie Poole, and Alderman Chris Schaeffer. Alderman Harber and Mayor Akin, as the subjects of the complaints in this investigation, will not receive this email and will not be asked to answer these questions.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

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The written questions are attached, along with instructions for the questions and your responses. Whether you respond is your choice, and you are not obligated to respond at all.

If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be a public record.

Thank you for your time.

Kind Regards,

Rachel Simmons

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Written Questions to Aldermen

Town of Atoka Ethics Investigation

Instructions

I am outside special counsel to the Town of Atoka. The Board of Mayor and Aldermen appointed me at a special called meeting on October 13, 2026 to investigate ethics complaints received under Atoka Municipal Code Title 1, Chapter 4. I represent the Town.

These questions are going to every alderman other than Alderman Harber. They are the same for everyone. None of you is being singled out, and nothing in these questions suggests you did anything wrong.

1. **Responding is voluntary.** You may answer all of the questions, some of them, or none of them. If you choose to answer some questions and not others, write "decline" for each question you do not answer so that I know you did not accidentally omit a response. No explanation is required.

2. **Personal knowledge.** Answer from your own knowledge. If an answer rests on what someone else told you, on a document, or on your impression rather than something you saw or heard, please say so and identify the source.

3. **Detail.** For each question you answer, give as much detail as you are able and willing to provide. For every person you mention, give their full name, their role if any, and, if you know it, a phone number or email address.

4. **Dates and times.** Be as precise as you can. If you can only approximate, do so and mark the answer as approximate.

5. **Documents.** If a question refers to a message, email, screenshot or other document you have, please provide a copy of the complete item, not an excerpt: the whole thread, every page, and the part that shows who sent it and who received it.

6. **Unclear questions.** If a question is unclear, or rests on a premise you dispute, say so and answer it as you understand it.

7. **No question is an accusation.** Several questions quote statements by others. Quoting a statement is not adopting it, and asking a question about a subject does not mean it is a finding in this investigation. Where I have quoted statements, if you dispute the quotation as written, say so, and please provide the correction you contend is accurate and the basis for it.

8. **Independence.** Please do not discuss these questions or your responses with any other person who received them. The investigation needs each person's own account, and no part of this investigation should be made public until my final report is submitted to the Board.

9. **"Immediate family."** When that term is used in these questions, it means a spouse, parent, child, sibling, grandparent or grandchild, including step-, half- and in-law relations, and anyone else living in the same household.

10. **Format and delivery.** Answer in writing, in order, repeating each question number. You may type your answers below each question, in a separate document, or in an email. Please submit your responses to me at Rachel@owtnlaw.com by Tuesday, November 17, 2026, at 5:00 p.m.

11. **Supplementing.** You may supplement or correct any response you provide at any time before my report goes to the Board. A supplement received before then will be treated as part of your response.

12. **Use of your responses.** Your responses will be part of the investigative file. They may be quoted in or attached to my written report to the Board. The report and its attachments are subject to the Tennessee Public Records Act.

Background

On October 10, 2026, Tipton County Commissioner Jason R. Skinner (District 4 – Atoka) sent an email to Mayor Akin titled "Citizens response to the 10/8/26 BOA meeting" and asked that it be forwarded to all current aldermen. The Mayor forwarded it to the aldermen that afternoon. Commissioner Skinner's email states, in part:

> "**I have received numerous calls, emails and text messages from residents in District 4 detailing their concerns and complaints of the lack of control and decorum during the meeting. Allowing residents to speak loudly, almost to the point of yelling, towards a sitting alderman showed a sense of bias considering the timing of the upcoming election**."
>
> "**A resident also made it a point to reveal they felt it was no coincidence this particular meeting included an extension of time for public comment.**"
>
> "**The meeting was perceived as contrived to discredit a mayoral candidate. It was described to me as one-sided, unprofessional and uncontrolled.**"

The complaints within the scope of my investigation allege that at the October 8, 2026 Board meeting Mayor Akin extended the public comment period from two minutes to three in a manner inconsistent with the Town's public comment resolution. They also allege that public perception, at least by some, is that the meeting [October 8 regular Board of Mayor and Aldermen meeting] was "contrived to discredit a mayoral candidate" and, more specifically, that the citizens who spoke during the public comment period were coordinated to criticize Alderman Harber, then a candidate for Mayor. Questions 1 through 6 address those allegations.

The complaints also make allegations about Alderman Harber's use of social media. Questions 7 through 9 address the use of social media.

Questions — The October 8, 2026 Board Meeting

1. Before the October 8 meeting was called to order, did you know, or had anyone told you, that any person intended to speak during public comment about Alderman Harber, his conduct, or his candidacy for Mayor? If so, for each such speaker, state how you learned of it and from whom, when, and what you were told.

   Response: NO

2. Before the October 8 meeting, did you, directly or through anyone else, ask, encourage, suggest to or help any person to attend that meeting or speak during public comment? Before the October 8 meeting, did you communicate with any person who spoke during public comment about what they intended to say? If so, identify each person, and state when, by what means (in person, phone, text, email, social media or otherwise), and what was said.

   Response: NO

3. Do you know of any other person who did any of the things described in Question 2? This includes an elected official, Town employee, candidate, campaign, or anyone else. If so, identify each person, describe what they did, and state how you know.

   Response: NO

4. Before the October 8 meeting was called to order, did you know Mayor Akin would extend the time allowed for public comment for that meeting and all meetings going forward? If so, state how and when you learned it, and from whom. Do you know of any discussion about extending the time for public comment before the meeting? If so, describe it.

   Response: NO

5. Commissioner Skinner's email alleges that public perception, at least by some, is that the meeting was "contrived to discredit a mayoral candidate." It has also been alleged that the public comments criticizing Alderman Harber were coordinated to attack him prior to the election when he was a candidate for Mayor. Setting aside perceptions, impressions and opinions, whether yours or anyone else's, do you have any <u>evidence</u> that supports those allegations? Evidence here includes something you saw or heard yourself, a communication, a document, a recording, or a person with first-hand knowledge.

   (a) If so, please describe each item of evidence, state how it came to your attention or possession, describe anything you saw or heard yourself, and provide me a copy of any written communication, document, or recording. If it is a person with first-hand knowledge, state the person's name, the substance and basis of their knowledge to the extent you know, and their contact information, if you know it.

   (b) If you have no evidence, as described, please say so.

NO

(c) If you hold the view that the meeting was contrived or coordinated to discredit or attack Alderman Harber, but your view rests on perception or impression, please say so and explain why you have that view.

Response: PERCEPTION

6. Apart from the matters included in the scope of this investigation, Commissioner Skinner's email includes the statements described below. These are summaries of his statements and not necessarily quoted verbatim. Please review his entire email before responding. The email:

   (a) gives notice of disapproval of actions and comments made during the October 8 meeting;

   (b) reports complaints from District 4 residents about a lack of control and decorum during the meeting, and says that allowing residents to speak loudly almost to the point of yelling toward a sitting alderman showed bias, given the timing of the election;

   (c) criticizes comments made by some Board members during discussion of Town business;

   (d) relays second-hand perceptions of an unnamed person to support his opinion of how and in what role other individuals should address the Board; and

   (e) criticizes a Town employee by name for his public comments about his work for the Town on a matter of Town business that had been debated and discussed by the Board for months and a matter of public discourse in the election.

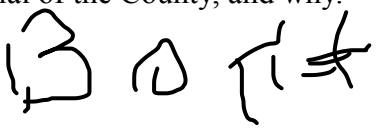
   Commissioner Skinner signs the email as a County Commissioner, indicating the email was from him in his capacity as an elected official representing Atoka in a separate governing body with no oversight of or authority over the business of the Town of Atoka. But he also writes in the email, "We, as citizens of Atoka, deserve and expect to see decorum and respect during meetings." On its face, the email blurs the distinction between Commissioner Skinner's capacity as a County Commissioner and his capacity as a citizen of Atoka. It raises a reasonable question about whether it is appropriate for an elected official of another governing body to make statements directing how the Board should conduct its meetings, manage public comments, and decide its own business, or to criticize individual members of the Board.

   It is my job to analyze the evidence received in the scope of this investigation and decide what weight to give the evidence based on many factors. The statements in Commissioner Skinner's email regarding the meeting being "contrived to discredit a mayoral candidate" are included in this investigation and will be evaluated in full. The statements described in this question are separate.

How did you receive Commissioner Skinner's email? In your response, please address:

(i) in what capacity you understood Commissioner Skinner to be writing, as a County official, as an Atoka resident, or both, and whether that affected how you received the email; and

(ii) whether you consider the statements described in (a)–(e) to be appropriate coming from an elected official of the County, and why.

Response: 

Questions — Social Media

7. At the October 8, 2026 meeting, during the public comment period, a speaker disclosed that Alderman Harber sent a message to her husband, Atoka Fire Chief Bill Scott, asking that she remove her reaction to a June 12, 2026 Facebook post. During Alderman Harber's response to that speaker he stated:

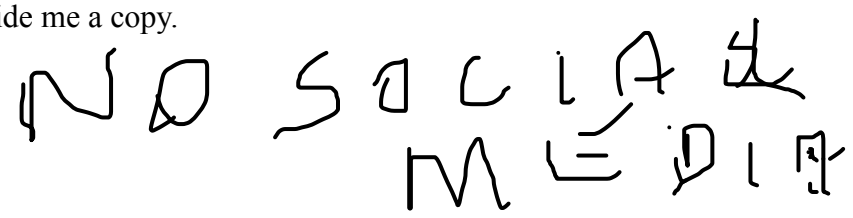
> **"It wasn't just your husband that I reached out to. There was actually multiple town employees."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:25 of the video]
>
> **"It clearly stated, in light of this heated political climate I would appreciate it if you would remain neutral. That was my … that was my request."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:50 of the video]

Other than Chief Scott, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction or comment on that June 12 Facebook post be removed? The timeframe you should consider in responding to this question is January 1, 2026 to November 3, 2026. The term "anyone" means any organization, business, or person, **especially**: current or former Town employees, elected or appointed Town officials including you, members of any Town board or commission, and the immediate family of any of those individuals. For each person, state:

(a) their name and their position or relationship to the Town;

(b) when the contact occurred, if you know; and

(c) how you know of it. If you have copies or screenshots of the described contact, please provide me a copy.

Response: 

8. Other than the June 12, 2026 Facebook post described in the previous question, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction, comment, or share be removed from, or not be made on:

   (a) any other social media post that a reasonable person would consider critical of Alderman Harber; or

   (b) any social media post that a reasonable person would consider critical of any other candidate for local office in the 2026 election?

   The timeframe and the definition of "anyone" in the previous question apply to this question. For each person, state:

   (i) their name and their position or relationship to the Town;

   (ii) the post involved, and when the contact occurred, if you know; and

   (iii) how you know of it. If you have copies or screenshots of the described contact or the post, please provide me a copy.

   Response: NO SOCIAL MEDIA

9. Has any person you may have identified in your responses to the two questions above, or any member of their family, discussed it with you? This includes any concern they expressed about the request, about how to respond to it, or about any consequence of their social media activity. If so, identify the person and state when, and describe what was said. You need not repeat anything already given in answer to Questions 7 and 8.

   Response:

Documents and Additional Information

10. Please provide copies of any messages, emails, screenshots, notes or other documents you have that bear on any of your answers above, as described in Instruction 5. Also identify anyone not already named who you believe has information on either subject. Is there anything else on either subject you want in the record? If so, add it under "Additional information."

    Response: NO SOCIAL MEDIA

Outlook

Atoka Ethics Investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Sun 11/15/2026 5:44 PM
To Marc Woerner <mwoerner@atokatn.gov>; rcovarrubias@atokatn.gov <rcovarrubias@atokatn.gov>

1 attachment (114 KB)
Written Questions to Town Administrator, Recorder.pdf;

ATTORNEY-CLIENT PRIVILEGED, NOT FOR PUBLIC DISCLOSURE

Dear Mr. Woerner and Ms. Covarrubias,

I am Rachel Simmons, the attorney appointed by the Board as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

Since my appointment, I have conducted this investigation diligently and quietly. Before interviewing anyone, I reviewed all documents, the applicable law, and the records of the Board and related bodies, both within and before the period under investigation. Interviewing last lets me go into each interview knowing the substance, context, and background; cover everything, including what I don't know, in a single conversation; and recognize statements that conflict with the record. Most importantly, it minimizes the risk that someone will attempt to influence another witness or selectively leak information, on social media or elsewhere. If partial information becomes public before my report is submitted to the Board, the allegations will be debated without context, conclusions will form before the facts are established, and the credibility of the findings will be undermined before the Board ever receives them. In the end, all of this would be for nothing.

I know the delay in my report was disappointing to everyone, including me. Ms. Shaw explained well why I requested it. In my judgment, a short delay was necessary to protect the integrity of this investigation and its results, and I appreciate the Board's understanding and accommodation. I have used the additional time to further scrutinize and consider the information I have, and I would now like to ask you some questions.

The written questions are attached, along with instructions for the questions and your responses.

Whether you respond is your choice, and you are not obligated to respond at all. If you choose to, please return your written responses to me by Tuesday, November 17 at 5:00 p.m. Your responses may be included in my report to the Board, which I expect will be a public record.

Thank you for your time.

Best Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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Written Questions to Town Administrator and Town Recorder

Town of Atoka Ethics Investigation

Instructions

I am outside special counsel to the Town of Atoka. The Board of Mayor and Aldermen appointed me at a special called meeting on October 13, 2026 to investigate ethics complaints received under Atoka Municipal Code Title 1, Chapter 4. I represent the Town.

These questions are only for Mr. Marc Woerner, Town Administrator, and Ms. Rachel Covarrubias, Town Recorder. Neither of you are being singled out, and nothing in these questions suggest you did anything wrong.

1. **Responding is voluntary.** You may answer all of the questions, some of them, or none of them. If you choose to answer some questions and not others, write “decline" to the question you do not answer so that I know you did not accidentally omit a response. No explanation is required.

2. **Personal knowledge.** Answer from your own knowledge. If an answer rests on what someone else told you, on a document, or on your impression rather than something you saw or heard, please say so and identify the source.

3. **Detail.** For each question you answer, give as much detail as you are able and willing to provide. For every person you mention, give their full name, their role if any, and, if you know it, a phone number or email address.

4. **Dates and times.** Be as precise as you can. If you can only approximate, do so and mark the answer as approximate.

5. **Documents.** If a question refers to a message, email, screenshot or other document you have, please provide a copy the complete item, not an excerpt: the whole thread, every page, and the part that shows who sent it and who received it.

6. **Unclear questions.** If a question is unclear, or rests on a premise you dispute, say so and answer it as you understand it.

7. **No question is an accusation.** Several questions quote statements by others. Quoting a statement is not adopting it, and asking a question about a subject does not mean it is a finding in this investigation. Where I have quoted statements, if you dispute the quotation as written, say so, and please provide the correction you contend is accurate and the basis for it.

8. **Independence.** Please do not discuss these questions or your responses with anyone. The investigation needs each person's own account, and no part of this investigation should be made public until my final report is submitted to the Board.

9. **"Immediate family."** When that term is these questions, this means a spouse, parent, child, sibling, grandparent or grandchild, including step-, half- and in-law relations, and anyone else living in the same household.

10. **Format and delivery.** Answer in writing, in order, repeating each question number. You may type your answers below each question, in a separate document, or in an email. Please submit your responses to me at Rachel@owtnlaw.com by Tuesday, November 17 at 5:00pm.

11. **Supplementing.** You may supplement or correct any response you provide at any time before my report goes to the Board. A supplement will be treated as part of your response if received within those time parameters.

12. **Use of your responses.** Your responses will be part of the investigative file. They may be quoted in or attached to my written report to the Board. The report and its attachments are subject to the Tennessee Public Records Act.

Background

On October 10, 2026, Tipton County Commissioner Jason R. Skinner (District 4 - Atoka) sent an email to Mayor Akin titled "Citizens response to the 10/8/26 BOA meeting" and asked that it be forwarded to all current aldermen. The Mayor forwarded it to the aldermen that afternoon. Commissioner Skinner's email states, in part:

> "**I have received numerous calls, emails and text messages from residents in District 4 detailing their concerns and complaints of the lack of control and decorum during the meeting. Allowing residents to speak loudly, almost to the point of yelling, towards a sitting alderman showed a sense of bias considering the timing of the upcoming election**."
>
> "**A resident also made it a point to reveal they felt it was no coincidence this particular meeting included an extension of time for public comment.**"
>
> "**The meeting was perceived as contrived to discredit a mayoral candidate. It was described to me as one-sided, unprofessional and uncontrolled.**"

The complaints within the scope of my investigation allege that at the October 8, 2026 Board meeting Mayor Akin extended the public comment period from two minutes to three in a manner inconsistent with the Town's public comment resolution. They also allege that public perception, at least by some, is that the meeting [October 8 regular Board of Mayor and Aldermen meeting] was "contrived to discredit a mayoral candidate" and, more specifically, that the citizens who spoke during the public comment period were coordinated to criticize Alderman Harber, then a candidate for Mayor. Questions 1 through 5 address those allegations.

The complaints also make allegations about Alderman Harber's use of social media. Questions 6 through 8 address the use of social media.

Questions — The October 8, 2026 Board Meeting

1. Before the October 8 meeting was called to order, did you know, or had anyone told you, that any person intended to speak during public comment about Alderman Harber, his conduct, or his candidacy for Mayor? If so, for each such speaker, state how you learned of it and from whom, when, and what you were told.

Response:

2. Before the October 8 meeting, did you, directly or through anyone else, ask, encourage, suggest to or help any person to attend that meeting or speak during public comment? Before the October 8 meeting, did you communicate with any person who spoke during public comment about what they intended to say? If so, identify each person, and state when, by what means (in person, phone, text, email, social media or otherwise), and what was said.

Response:

3. Do you know of any other person who did any of the things described in Question 2? This includes an elected official, Town employee, candidate, campaign, or anyone else. If so, identify each person, describe what they did, and state how you know.

Response:

4. Before the October 8 meeting was called to order, did you know Mayor Akin would extend the time allowed for public comment for that meeting and all meetings going forward? If so, state how and when you learned it, and from whom. Do you know of any discussion about extending the time for public comment before the meeting? If so, describe it.

Response:

5. Commissioner Skinner's email alleges that public perception, at least by some, is that the meeting was "contrived to discredit a mayoral candidate." It has also been alleged that the public comments criticizing Alderman Harber were coordinated to attack him prior to the election when he was a candidate for Mayor. Setting aside perceptions, impressions and opinions, whether yours or anyone else's, do you have any <u>evidence</u> that supports those allegations? Evidence here includes something you saw or heard yourself, a communication, a document, a recording, or a person with first-hand knowledge.

(a) If so, please describe each item of evidence, state how it came to your attention or possession, please describe anything you saw or heard yourself, and please provide me a copy if it is a written communication, document, or recording. If it is a person

with first-hand knowledge, please state their name, substance and basis of their knowledge to the extent you know, and contact information for this person, if you know.

(b) If you have no evidence, as described, please say so.

(c) If you hold the view that the meeting was contrived or coordinated to discredit or attack Alderman Harber, but your view rests on perception or impression, please say so and explain why you have that view.

Response:

Questions — Social Media

6. At the October 8, 2026 meeting, during the public comment period a speaker disclosed that Alderman Harber sent a message to her husband, Atoka Fire Chief Bill Scott, asking that she remove her reaction to a June 12, 2026 Facebook post. During Alderman Harber's response to that speaker he stated:

> **"It wasn't just your husband that I reached out to. There was actually multiple town employees."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:25 of the video]
>
> **"It clearly stated, in light of this heated political climate I would appreciate it if you would remain neutral. That was my … that was my request."** [See October 8, 2026 Meeting of Board of Mayor and Aldermen video on YouTube; at approximately 35:50 of the video]

Other than Chief Scott, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction or comment on that June 12 Facebook post be removed? The timeframe you should consider in responding to this question is January 1, 2026 to November 3, 2026. The term "anyone" means any organization, business, or person, **especially**: current or former Town employees including you, elected or appointed Town officials, members of any Town board or commission, and the immediate family of any of those individuals. For each person, state:

(a) their name and their position or relationship to the Town;

(b) when the contact occurred, if you know; and

(c) how you know of it. If you have copies or screenshots of the described contact, please provide me a copy.

Response

7. Other than the June 12, 2026 Facebook post described in the previous question, do you know of anyone Alderman Harber contacted, directly or through another person, to ask that a reaction, comment, or share be removed from, or not be made on:

(1) Any other social media post that a reasonable person would consider critical of Alderman Harber; or

(2) Any social media post that a reasonable person would consider critical of any other candidate for local office in the 2026 election?

The timeframe and the definition of "anyone" in the previous question apply to this question. For each person, state:

(a) their name and their position or relationship to the Town;

(b) the post involved, and when the contact occurred, if you know; and

(c) how you know of it. If you have copies or screenshots of the described contact or the post, please provide me a copy.

Response:

8. Has any person you may have identified in your responses to the two questions above, or any member of their family, discussed it with you? This includes any concern they expressed about the request, about how to respond to it, or about any consequence of their social media activity. If so, identify the person and state when, and describe what was said. You need not repeat anything already given in answer to Questions 8 and 9.

Response:

Documents and Additional Information

9. Please provide copies of any messages, emails, screenshots, notes or other documents you have that bear on any of your answers above, as described in Instruction 5. Also identify anyone not already named who you believe has information on either subject. Is there anything else on either subject you want in the record? If so, add it under "Additional information."

Response:

Additional information:

Outlook

Re: Atoka Ethics Investigation, 2 additional questions

From Barry Akin <bakin@atokatn.gov>
Date Tue 11/17/2026 1:39 PM
To Rachel Simmons <rachel@owtnlaw.com>

1 attachment (46 KB)
20260219_BMA Letter to Industrial Development Board.pdf;

1. Yes. The letter was created and given to the IDB Chairman at that Feb. 19th meeting. The letter is attached to this email.
2. It is always my intention to attend as many Atoka meetings as possible (IDB, BZA, Planning Commission, etc...). That being said, I wanted to especially attend that meeting to ensure the letter was acknowledged by the IDB. I cannot speak for anyone else as to why they were in attendance.

Mayor
Town of Atoka

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Tuesday, November 17, 2026 8:28:19 AM
To: Barry Akin <bakin@atokatn.gov>
Subject: Atoka Ethics Investigation, 2 additional questions

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Dear Mayor Akin:

During the additional time the Board allowed me to complete this investigation and submit my report, I have continued to scrutinize the documents, information, and evidence I have collected, and continued to collect more.

I'd like to follow up with two additional questions for you, listed below. The same provisions about responding to my November 6 email apply to any response to the questions below, to the extent you wish to answer them.

You can submit your responses to each question in an email, in a separate document, or any form you wish. If you are willing to respond to the questions below, please send them to me no later than 12:00 noon Wednesday, November 18, 2026.

Thank you,

Rachel Simmons

Written Questions for Mayor Barry Akin

1. The minutes of the February 17, 2026 Board meeting state that, after returning from legal session, the Board unanimously approved a motion that you draft a letter to the IDB stating the grievances of the Board of Mayor and Aldermen and present it to the IDB. The agenda for the February 19, 2026 IDB meeting lists "Work Session with the Board of Mayor and Aldermen – Consultant Communications" under new business. Minutes from that IDB meeting indicate that you and the following Town of Atoka officials were present:

Marc Woerner, Town Administrator
Anna Pond, Administrative and Communications Coordinator
Carla Grisham, Planning Clerk
Tom Langford, Building Official
Bill Scott, Fire Chief
Anthony Rudolph, Police Chief
Wesley Yarbrough, Public Works Director

The minutes further reflect under New Business that "Cary Vaughn and Terry Roland of Economic Development Advisors were present to address questions from the Board and asked the Board to share their priorities and goals for future development in Atoka."

Did you draft the letter and present it to the IDB? If so, when and how, and please provide me a copy if you are able; if the letter was not delivered, why not?

2. Why were you, the Town Administrator, and the department heads and other Town employees listed above present at the February 19, 2026 IDB meeting?

Rachel Witherington Simmons, Attorney
OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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PRIVILEGED EXHIBIT 5

October 7, 2026; Images Dated 2025–2026

Images From Terry Roland's Personal Facebook Page: the Six Images in the Taylor Message (as Opened, With the Message Thread) and the Roland Posts. Offensive Content. Withheld From the Public Exhibits; Release Only on a Vote of the Board.

(18 pages)

10:13

John Harber

OCT 7 AT 7:17 PM

I will say that I dislike you were put in the IDB cross fire. You were appointed after my frustration with the hiring of Terry Roland. I made a public plea in an IDB meeting to not hire him. However that fell on deaf ears. He was awarded a $40k contract with no other bidders. And our chairman Jim Craig is chairman of deacons for Cary Vaughn. I am going to share some of the public social media posts pulled from Rolands page. After my plea to the IDB he threatened to sue me. After the threat of lawsuit, last year's budget to the IDB was transferred to town savings. And this year the IDB was not funded at all. Let me know if you'd like to meet and discuss things further.





Aa

10:13

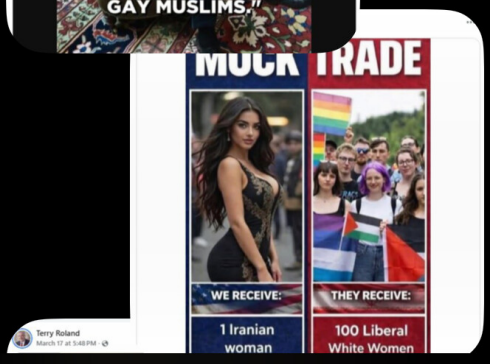
John Harber











Aa

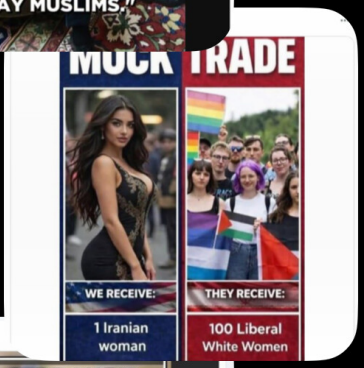
10:14

John Harber











Aa

10:14

54

The new logo for the Democratic Party.



- Socialism -
- Anti-America -
- Anti-Jews/Israel -
- Anti-2nd Amendment -
- Pro-Eugenics -
- Pro-Hate -

Modern Day Nazi Party

Terry Roland
The Truth

SEP 30 AT 4:11 PM

Aa

10:14

54



Terry Roland
For real

Aa

10:14

:41 5G

Terry Roland

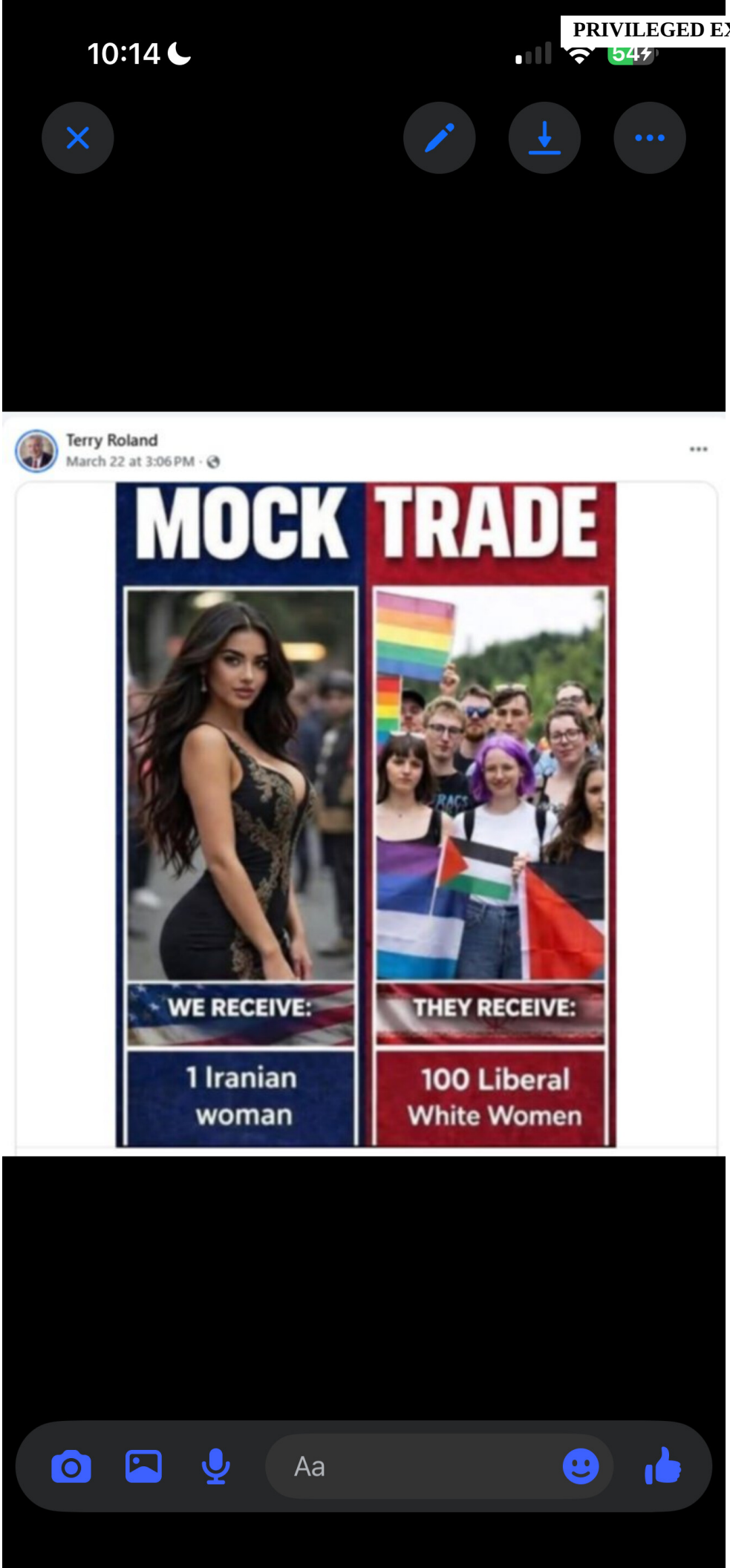
Posts Photos Videos

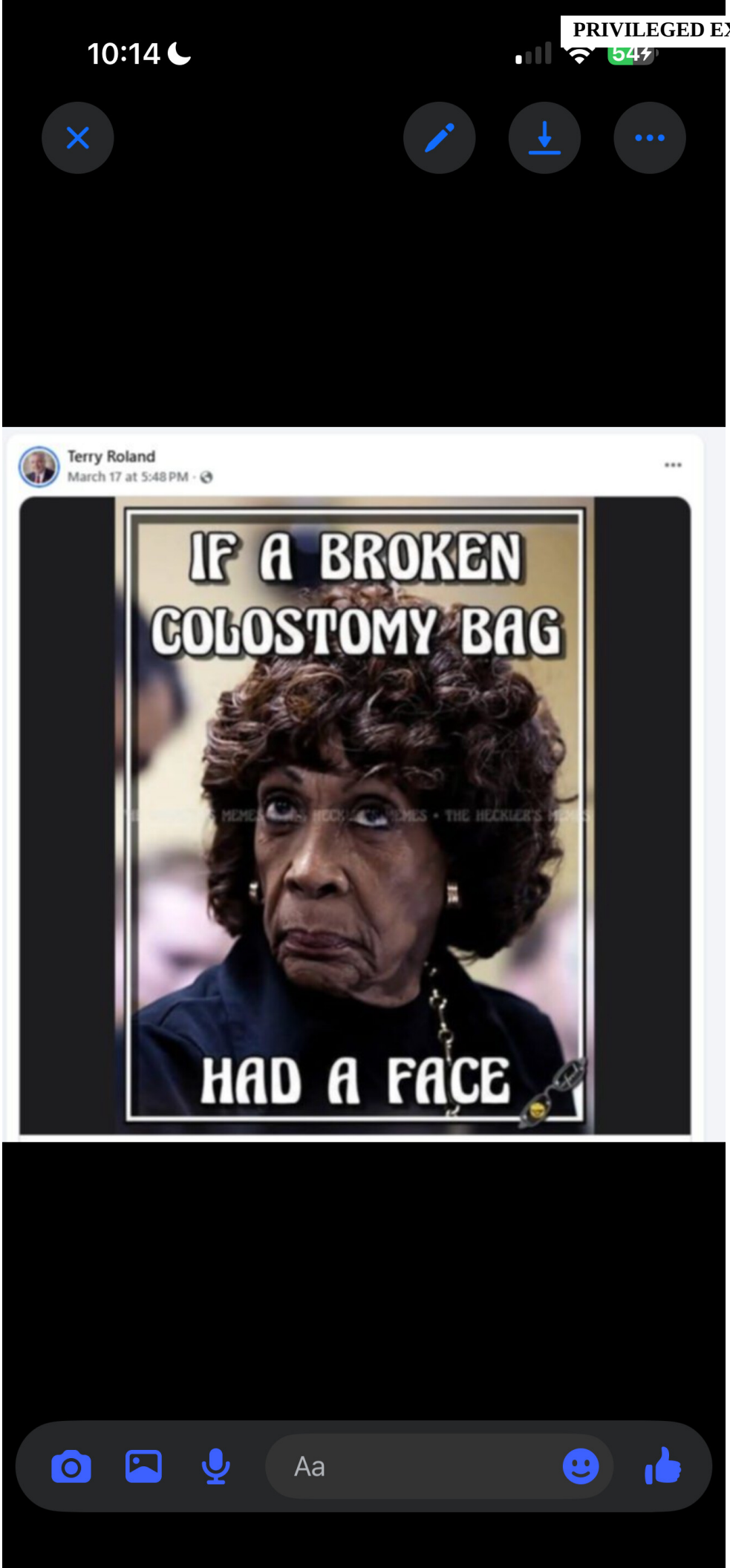


They make our buttplugs fall out

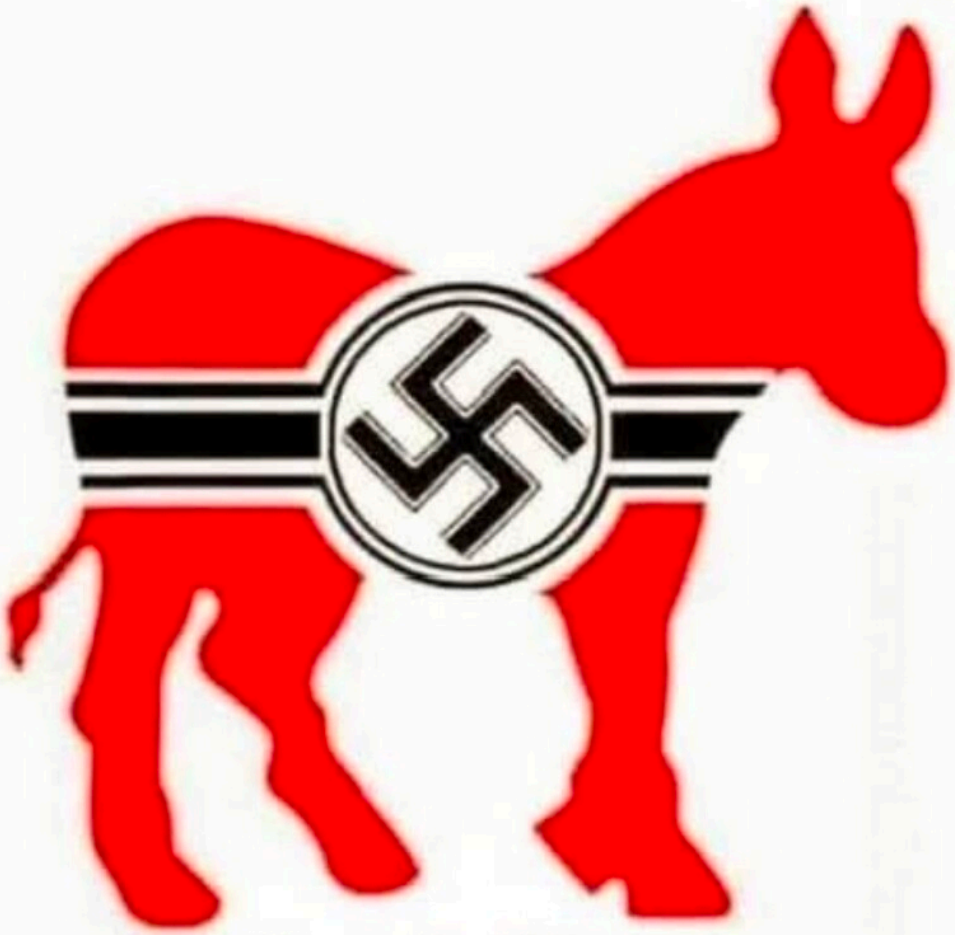
Aa


10:14
Terry Roland
March 25 at 3:52 PM
"WHEN I'M DONE, THE DEMOCRATIC PARTY WILL BE NOTHING BUT A DATING SITE FOR GAY MUSLIMS."
Aa


10:14
Terry Roland
March 22 at 3:06 PM
MOCK TRADE
WE RECEIVE:
1 Iranian woman
THEY RECEIVE:
100 Liberal White Women
Aa


10:14
Terry Roland
March 17 at 5:48 PM
IF A BROKEN COLOSTOMY BAG
HAD A FACE
Aa

The new logo for the Democratic Party.



- Socialism -
- Anti-America -
- Anti-Jews/Israel -
- Anti-2nd Amendment -
- Pro-Eugenics -
- Pro-Hate -

Modern Day Nazi Party

Terry Roland
The Truth
SEP 30 AT 4:11 PM



Terry Roland

For real

11:41 5G

Terry Roland

Posts Photos Videos



They make our buttplugs fall out

Add friend Message

Terry Roland

Posts Photos Reels

Terry Roland
19h ·

Trump: The Golden Age · Join
Denise Digirolamo · 1d ·



8 2 comments 2 shares

Terry Roland

Posts Photos Reels

Terry Roland
5h ·

For sure

FU@K GAVIN NEWSOM · Follow
John Decker Jr. · 23h ·



Add friend Message ···

Terry Roland

Posts Photos Reels

Terry Roland
2h ·

Jews For Trump ✅ · Join
Stephen Klinghoffer · 3h ·



1 1 share

Add friend Message ···

Terry Roland

Posts Photos Reels

Terry Roland
5h ·

Amen

Drain The Swamp · Follow
1d ·



Add friend Message ···

Terry Roland

Posts Photos Reels

5 1 comment

Like Comment Share

Terry Roland
7h ·

Truth Seeker
2d ·

Four America Haters



Add friend Message ···

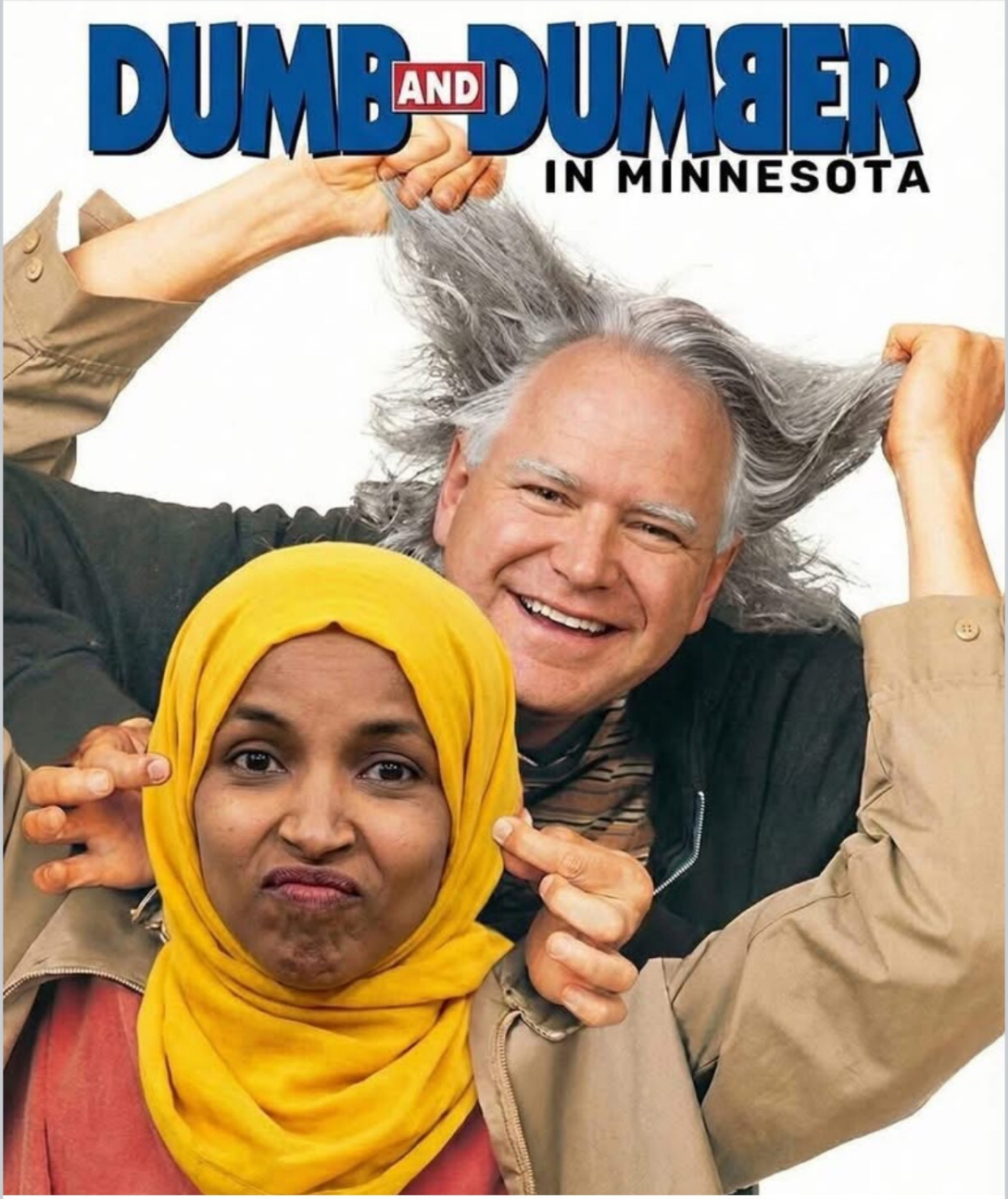
Terry Roland

Posts Photos Reels

Terry Roland
2h ·

Whistling Dixie · Join
Old Resaca Mercantile · 6h ·

You know it! www.OldResaca.com



Add friend Message ···

PRIVILEGED EXHIBIT 6

Nov. 9–11, 2026

Emails From Special Counsel to Town Attorney Amber Shaw: Nov. 9 (Conflict Raised and Addressed; Extension Requested), Nov. 10 (Harber Correspondence Forwarded for the Board) and Nov. 11 (Update)

(15 pages)

Outlook

Conflict question raised by Alderman Harber, RPC 1.18, report timing and request for informed consent

From Rachel Simmons <rachel@owtnlaw.com>
Date Mon 11/9/2026 8:41 PM
To Amber Shaw <ashaw@harrisshelton.com>

Amber:

I have substantially completed my investigation into the ethics complaints submitted to me after the Atoka's Board of Mayor and Aldermen authorized my engagement on October 13. I contacted Alderman Harber via email on November 6 with notice of all complaints included in my scope and requested to speak to him to conclude the investigation and finalize my report. He responded to that email and raised a question of a potential conflict. The timeline is as follows:

1. **Nov. 6:** I sent Alderman Harber notice of the allegations and a request to interview him.
2. **Nov. 6 (10:20pm):** He replied to my request and informed me that he met with my partner, David Owen, on June 17, 2026, regarding Chief Bill Scott's complaint and reports of a possible lawsuit against him and asked whether a conflict exists. I did not see this email until Saturday, November 7.
3. **Nov. 7:** I told Alderman Harber I had no knowledge of that meeting, that I would not request an interview until the question was resolved, and asked limited questions about the nature of the engagement while asking him not to disclose anything confidential. [At the outset of this investigation I conducted a routine conflict check, and nothing was flagged.]
4. **Nov. 8:** Alderman Harber responded. He confirmed, unprompted, that it was a single meeting with no engagement letter, no fee arrangement, and he had no further contact with Mr. Owen. However, he did disclose that he has contacted other independent counsel but not yet retained any. I will provide a copy of my email to him with all of these details at your request.

Over the weekend, and today, I have taken the following steps:

1. Conducted a limited conflicts inquiry with Mr. Owen, confined to whether a conflict exists. He confirmed the single contact, the absence of any engagement, and that he is not aware of having received information that could be significantly harmful to Harber in the matters within my scope of investigation.
2. Though I am not persuaded that RPC 1.18 requires it, I have implemented screening under RPC 1.18(d)(2) and RPC 1.0(k): Mr. Owen is screened and has acknowledged the instruction, no staff member works for both of us, and my investigative materials are maintained solely on my personal laptop and are not accessible to anyone in the firm.
3. I have responded to Aderman Harber's November 8 email, including the written notice RPC 1.18(d)(2)(ii) requires. I informed him that I was not persuaded that his

> interests as a prospective client from the June consult with Mr. Owen, and the Town's interests in this investigation I have been engaged to conduct are materially adverse within the meaning of RPC 1.18. I asked him if he objected to me continuing my investigation based on those protections and also asked him for informed consent to avoid the question being raised again after my report. I am waiting on his response.

My position is that no disqualifying conflict exists. One part of one complaint within my scope of investigation, Ms. Krista Scott's written complaint, rests on substantially the same underlying facts as the matter Alderman Harber discussed with Mr. Owen and I do not minimize that. However, I am not aware of any significantly harmful information received by Mr. Owen from that consult. The majority of the scope of my investigation includes matters that happened well after the June 17 consult, and the matter of Alderman Harber contacting Town employees regarding their "like" of a Facebook post is already in the public domain. Nevertheless, to be cautious and transparent, the screen is in place, and until directed otherwise I am proceeding on the screening basis.

However, given the timing of the conflict question being raised, my report will not be ready for tomorrow's meeting. I have not been able to interview Alderman Harber, though I hope he will consent now that I have addressed the question he raised. I do not think it is appropriate to issue findings yet.

I am mindful of the public's interest in this matter and of the interests of everyone involved. It is paramount that the investigation be thorough and impartial, which is why I think a brief delay in my final report is necessary. I want to resolve this conflict question with finality, and I want to give Alderman Harber a chance to answer my questions or decline to be interviewed.

Even though the screening is in place as a cautionary measure, resolving the issue with finality would be informed consent under RPC 1.18(d)(1) from both parties, and that is what I would prefer. I requested informed consent from Alderman Harber and advised him I would also request it from the Town, separately.

I will prepare a consent document for the Board's review on request and am available to answer its questions.

Given the timing, I have addressed this with all parties as promptly as possible, and I apologize for the delay. Until this weekend I was prepared to submit my report to the Board in advance of their meeting tomorrow. Further complicating the situation are the complaints related to Mayor Akin that are within the scope of my investigation. I started to inform him of this development but decided against it given the scope. I know you are recused from this investigation, but I thought direct communication with you about the conflict question Alderman Harber raised on Saturday and what I have done to address it was the most prudent action.

I am available anytime tomorrow to discuss further with you, and I will advise you of Alderman Harber's response when received.

Sincerely,

Rachel Witherington Simmons, Attorney

OWEN & WITHERINGTON
125 E. Pleasant Ave.
P.O. Box 1016
Covington, TN 38019
(901) 476-6066
(901) 476-6042 [fax]

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Outlook

Fw: Town of Atoka ethics investigation, notice of allegations and request to speak with you

From Rachel Simmons <rachel@owtnlaw.com>
Date Tue 11/10/2026 12:58 PM
To Amber Shaw <ashaw@harrisshelton.com>

6 attachments (737 KB)

Chris Detje Complaint 10-9-26.pdf; Krista Scott Complaint 10-9-26.pdf; John Harber Complaint 10-10-26.pdf; Addendum to Harber Complaint, Commissioner Skinner email 10-10-26.pdf; John Harber Complaint 10-12-26.pdf; Shopher Complaint 10-13-26.pdf;

Ms. Shaw:

To be fully transparent with the Board regarding my communication with Alderman Harber in this investigation, the conflict question he raised on Novmebr 6, and my inquiry and response to that question, below is the entire correspondence between us.

Also, to be clear with the Board and provide detail on the scope of my investigation, attached to this email are all of the ethics complaints I received to be included in my investigation.

Alderman Detje's complaint requested investigation into "claims raised by citizens of the Town of Atoka regarding the conduct of Alderman Harber" during the October 8 meeting. These claims include those by Ms. Krista Scott (which are also included in her own written complaint) and by Ms. Brook Taylor as a member of the Atoka Industrial Development Board. Andrew Stroud also addressed Alderman Harber at the October 8 meeting, but he said his comments were a direct response to statements Alderman Harber made during the Mayoral Forum on October 5, he noted they were scheduled to meet on October 19, and his comments on their face did not raise ethical concerns, so I have not included Mr. Stroud in my investigation.

I contacted Mayor Akin via email giving him notice of the complaints against him or bearing on his conduct included in my scope of investigation, and I have interviewed Mayor Akin. I sent Alderman Harber the same email and notice of the complaints against him or bearing on his conduct. Again, the email to Alderman Harber and our correspondence since is below.

I have also conducted other interviews in the course of my investigation. However, as I said in my email to you yesterday evening, I believe it is necessary to interview Alderman Harber or otherwise give him an opportunity to respond to the complaints against him or to decline to be interviewed, which he has the right to do, before I complete any report with findings and conclusions.

Please let me know if you would like to discuss further. I have several meetings this afternoon at Covington City Hall on various issues, but I will make time to speak to you on

this matter.

Rachel Witherington Simmons, Attorney
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From: John Harber <jharber@atokatn.gov>
Sent: Tuesday, November 10, 2026 11:21 AM
To: Rachel Simmons <rachel@owtnlaw.com>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

I have no objection to you continuing the investigation. I simply wanted to confirm that there was no potential conflict of interest. Based on the information you provided, it appears that none exists.

Given that we have some additional time, I will let you know sometime this week whether I am agreeable to participating in an interview, either with or without counsel present.

John Harber
901-870-3485

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Monday, November 9, 2026 8:42 PM
To: John Harber <jharber@atokatn.gov>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

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Alderman Harber:

Thank you for your patience while I addressed the question you raised.

This response is the written notice required by Tennessee Rule of Professional Conduct 1.18(d)(2)(ii). I am sending it a soon as possible after learning of your June 17, 2026

consultation with my law partner, David Owen, which you first disclosed to me in your email of November 6, 2026.

My role. The Board of Mayor and Aldermen of the Town of Atoka has engaged me as outside special counsel to conduct an independent investigation into the ethics complaints filed in October 2026. The Town is my client in that engagement. I do not represent you, and nothing in this letter is legal advice to you. You may consult independent counsel about this notice.

The consultation, as I understand it. The account you provided in your email on November 8, 2026, was volunteered. In my email to you on November 7 I asked you not to disclose anything you considered confidential. Based solely on your emails of November 6 and November 8, 2026, I understand that you met with Mr. Owen on June 17, 2026, to discuss potential legal action against you by Atoka Fire Chief Bill Scott stemming from your request as you stated. This was the only meeting between you and Mr. Owen, no engagement letter was executed, and there was no fee arrangement. On those facts as you have described them, I have proceeded on the understanding that you were a prospective client of Mr. Owen within the meaning of the Rules of Professional Conduct (RPC). You indicated that the subject of that consultation was based on the same underlying facts as one part of my scope of investigation, but also included matters distinct from my investigation, in that rumors or discussion of potential legal action against you by Chief Scott are not part of my scope. Other than what you have told me, I do not know the substance of what you and Mr. Owen discussed. Beyond the limited conflicts inquiry described below, I have not asked him about the substance of your discussion, and I will not. If any part of my understanding is incorrect, please tell me so in writing and I will correct the record.

The relationship between that consultation and this investigation. I would rather state the overlap plainly than minimize it. My engagement is an administrative investigation conducted for the Atoka Board of Mayor and Aldermen under the Town's Code of Ethics, its Charter and its ordinances. It is not litigation, and the Town asserts no claim against you. I recognize nonetheless that an investigation of this kind can produce findings adverse to your interests, and I do not suggest otherwise. The posture and scope of my investigation are different from the potential civil litigation you have described consulting Mr. Owen about in June. That said, one part of one of the complaints before me, the written complaint submitted by Krista Scott on October 9, 2026, rests on substantially the same underlying facts as the matter you described, being your June 12 request to Chief Scott that his wife, Krista Scott, remove a reaction to a Facebook post. I do not treat that as immaterial.

The question RPC 1.18 poses, however, is a narrower question. It asks whether Mr. Owen received information from you that could be "significantly harmful" to you in the matters within my scope of investigation. I am not aware that he received any such information. Other than the account you volunteered in your November 8 email, I have no knowledge of what was said on June 17, 2026. Beyond a limited inquiry, nothing from that meeting has been communicated to me by Mr. Owen, and the measures described below are designed to keep it that way.

Screening measures. I do not concede that screening measures under RPC 1.18 are required here. I am not persuaded that your interests as a prospective client and the Town's interests in this investigation are materially adverse within the meaning of that rule. Without waiving that position, I have implemented the screening procedures contemplated by RPC 1.18(d)(2) and RPC 1.0(k), and this letter is the written notice RPC 1.18(d)(2)(ii) requires. Effective immediately and continuing for the duration of my engagement:

1. Mr. Owen is screened from any participation in the investigation. He will not work on it, be consulted about it, review any part of it, or be asked for input on any question arising in it.
2. Mr. Owen and I have not discussed the investigation, and we will not discuss it. For the sole purpose of evaluating the conflict question, I asked Mr. Owen a limited set of questions directed at whether a conflict exists. He confirmed that the June 17, 2026 meeting was his only contact with you, that no engagement letter or fee arrangement exists, and that he is not aware of having received information from you that could be significantly harmful to you in the matters within my scope of investigation. Beyond that limited inquiry, Mr. Owen has not disclosed any information to me from your consultation, I have sought none, and I will seek none.
3. There is no file in this office from your June 17, 2026 consultation. No information from that consultation exists in any file, system, or location that I access or would encounter in the course of this investigation.
4. The entirety of my work thus far in the ethics investigation is maintained solely on my personal laptop, which is not accessible to Mr. Owen or to anyone else in the firm. It is not kept in the firm's physical files, on the firm's server, or in any shared electronic location.
5. No staff member of this firm performs any work on the investigation, and no staff member has access to my investigation materials. For completeness: my legal assistant opened a client file for the Town of Atoka Board of Mayor and Aldermen in the firm's system shortly after the Board's vote on October 13, 2026, before any substantive work had begun. That file does not and will not contain any substantive investigative material. My legal assistant does not perform work for Mr. Owen, and she is not working on this investigation.
6. Mr. Owen is screened from my work on the investigation entirely. He has been instructed and acknowledged that he is not to discuss the investigation with me, with any member of the firm, or with any third party. My legal assistant has been given the same instruction. No member of our staff works on client matters for both Mr. Owen and me.
7. Mr. Owen's obligation under RPC 1.18(b) to protect any information he learned from you continues without limitation, and I will neither use nor seek any such information in this investigation.

These measures are the screening procedures contemplated by RPC 1.0(k) and are, in my judgment, reasonably adequate under the circumstances to protect any information Mr. Owen is obligated to protect. If you believe additional or different measures are warranted, tell me and I will consider them.

Moving Forward. Without waiving my position as stated above, RPC 1.18 provides two bases on which this investigation may properly continue. The first is the screening

described above, which is already in place. The second is informed consent, confirmed in writing, from both you and the Town. I am proceeding on the first basis. I am also asking you for the second.

If you do not object to my continuing the investigation to its conclusion, I ask that you tell me so in writing and provide your informed consent, confirmed in writing. I will prepare a consent document for your review on request. I am requesting the Board's informed consent, confirmed in writing, separately. You are entitled to consult independent counsel before deciding whether to consent, and I would encourage you to do so. If you decline, or if you do not respond, that is your right. I will not treat silence as consent, and I will continue the investigation on the basis of the screening described above while your response is outstanding.

If you do object to me continuing the investigation, please state your objection in writing as soon as possible. You need not disclose any confidential information in order to object. I will transmit any objection to the Board of Mayor and Aldermen together with my recommendation. The Board may choose to proceed on the basis of the screening described above, to engage separate counsel for any part of this matter, or to take another course. That decision belongs to the Board as my client. I will not narrow the scope of my engagement without its authorization.

The Board expected my final report in advance of its meeting tomorrow, November 10, but I have advised the Town Attorney that the report will be delayed while this question is addressed. That delay is my decision and my responsibility. It is not a consequence of your having raised a possible conflict you were entitled to raise. I am mindful of the public's interest in this matter and of the interests of everyone involved in it. The screening measures have been implemented to ensure all information is protected, and the delay of my final report is necessary to properly resolve this question.

You have told me that you contacted David Pickler of the Pickler Law Firm after the October 13, 2026 special meeting, but that you have not entered into a formal engagement at this time. If that has changed or does change please notify me as soon as possible.

If you do not object to my continuing the investigation as described above, and you are willing to speak with me, please let me know when you are available. If you have retained Mr. Pickler or any other attorney in connection with this matter, please have your counsel contact me directly and I will make arrangements through them. As I said in my email on November 6, 2026, your participation is voluntary, no adverse inference will be drawn if you decline to speak with me, and you remain free to respond in writing, to provide documents, and to identify witnesses you believe I should speak with.

I look forward to your reply. With kindest regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
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125 E. Pleasant Ave.

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From: John Harber <jharber@atokatn.gov>
Sent: Saturday, November 7, 2026 9:32 PM
To: Rachel Simmons <rachel@owtnlaw.com>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

1. I contacted Mr. Owen after receiving a legal referral from a County Commissioner I spoke with. This outreach came after information had circulated among several individuals that Chief Scott was considering legal action against me in response to a request I had made.

The request was as follows:

> "I am going to kindly ask that your wife remove the like on Amanda's post on Facebook. She has me blocked, so I can't defend myself."

Several Town employees had liked, loved, commented on, or shared the Facebook post. Given that we were in the middle of an election campaign, my intent was simply to ask whether Town employees could remain neutral in their public engagement with campaign-related social media posts.

It was never a demand or attempt to exercise authority over employees. It was simply a request.

Mr. Owen provided a few points of guidance:

He reminded me that I was one member of a six-member Board. Any action to terminate a department director would require a motion, a second, and a majority vote. I had no authority to unilaterally terminate a director.

He explained that the request had also been communicated to other Town employees, rather than being directed exclusively at one department director. He reminded me that the Board does not have direct authority over the day-to-day management, hiring, or firing of Town employees.

He also advised that, should a lawsuit be filed, I should consider contacting PE Partners to determine whether coverage or legal assistance was available at no additional cost to me as an elected official.

This was our one and only meeting. No formal engagement letter was executed, and no fee arrangement was established. But I felt a lot better after our meeting.

3. After the special ethics meeting on 10/13 I reached out to David Pickler of Pickler Law Firm.

My company has completed a substantial amount of construction work for David personally and for several of his companies. We have not entered into a formal engagement agreement At this time, Mr.

Pickler is researching whether there are any potential concerns surrounding the timing of the ethics complaints, particularly the fact that they were filed just days before early voting began.

John Harber

901-870-3485

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Saturday, November 7, 2026 3:08 PM
To: John Harber <jharber@atokatn.gov>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

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Alderman Harber:

Thank you for raising this. I was not aware of any meeting between you and Mr. Owen until your email, and I have no knowledge of its substance.

I am evaluating the question now and will not ask you to meet until it is resolved.

So that I can evaluate the question properly, it would help me to know (1) whether you consulted with Mr. Owen or whether you consider Mr. Owen to have represented you; (2) whether any engagement letter or fee arrangement exists; and (3) whether you are represented by any counsel in connection with this ethics investigation. You are not obligated to answer, and I am not asking you to disclose the substance of any communication with Mr. Owen. In fact, please don't disclose any information you consider to be confidential.

I will advise the Board of Mayor and Aldermen of this issue you've raised and will follow-up with you promptly.

Rachel Witherington Simmons, Attorney
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From: John Harber <jharber@atokatn.gov>
Sent: Friday, November 6, 2026 10:20 PM

To: Rachel Simmons <rachel@owtnlaw.com>
Subject: Re: Town of Atoka ethics investigation, notice of allegations and request to speak with you

I met with David Owen on June 17th to discuss the Bill Scott complaint and rumors of a potential lawsuit. We discussed the issue and he agreed to represent me if anything came up.

Before I agree to meet is there any conflict?

Thank you,

John Harber

Thank you,

John Harber
901-870-3485 Cell
https://www.atokatn.gov/

From: Rachel Simmons <rachel@owtnlaw.com>
Sent: Friday, 06 November 2026 18:33:09
To: John Harber <jharber@atokatn.gov>
Subject: Town of Atoka ethics investigation, notice of allegations and request to speak with you

***** This is an EXTERNAL email. Please exercise caution. DO NOT open attachments or click links from unknown senders or an unexpected email. *****

Dear Alderman Harber:

I am Rachel Simmons, an attorney in Covington. As you are aware, the Town of Atoka's Board of Mayor and Aldermen appointed me as outside special counsel to conduct an independent investigation into the ethics complaints filed in October. I am not the Town Attorney, and I do not represent any person involved in this matter.

I have reviewed the complaints, the Board's meetings and minutes, the relevant correspondence and records, and Atoka's Charter and Code of Ethics.

The complaints concerning you are summarized as follows:

1. On October 9, 2026, Alderman Chris Detje asked the Town Attorney to investigate claims raised by citizens at the October 8 Board meeting concerning your conduct. Specifically, actions on social media, sending messages of support, distribution of objectionable images and posts, the removal of posts, and related public online postings.
2. Also on October 9, 2026, Krista Scott submitted a written complaint alleging that on the night of Friday, June 12, 2026, you sent a message to her husband, Atoka Fire Chief Bill Scott, asking that she remove a reaction to a Facebook post. She alleges that in doing so you bypassed the administrative chain of command and used her husband's employment as leverage. She cites alleged violations of Tenn. Code Ann. § 39-16-402 and Section 12 of the Town Charter.

3. On October 13, 2026, Planning Commission Chairman Stephen Shopher reported two matters to the Town Administrator, which were forwarded to the Town Attorney the following day and provided to me for this investigation. He alleges that on the evening the Kroger expansion was on the Planning Commission agenda, you called him and told him to call every member of the Commission and "tell them to approve the vote," saying "we can't lose Kroger and need to give them whatever they want." He states that he refused and told you he considered both the call and your instruction to him unlawful. He also states that afterward he reported the call to the Tennessee Comptroller's office.

   Mr. Shopher's second allegation does not concern you alone. I will refer it to the Board to determine whether it falls within the scope of my engagement. If it does, you will receive subsequent notice of it and an opportunity to respond.

Copies of the written complaints concerning you are attached to this email. You are entitled to respond in writing, to provide documents, and to identify witnesses you believe I should speak with. To complete the investigation, I would also like to speak with you directly.

Your participation is voluntary. You are not obligated to speak with me, and no adverse inference will be drawn if you decline. If you are represented by an attorney in connection with this matter, please tell me and I will arrange any contact through your counsel rather than with you directly.

In the interview, I will have questions about each complaint. I will also ask you about the messages to Atoka Industrial Development Board member Brook Taylor and about your subsequent inquiry into her residency, both of which arise from the same record. I will also have questions about the two separate complaints you filed concerning Mayor Barry Akin.

Nothing stated above is a finding. These are the allegations as they were made, and you are entitled to respond to them.

If you are willing, can we speak sometime this Sunday afternoon or evening? Please let me know what time works best for you. I am also glad to meet by Zoom if you would prefer. If you are not available this Sunday, please let me know when you are available to speak with me on Monday November 9.

I will take contemporaneous notes during our conversation, and my report will be provided to the Board of Mayor and Aldermen and may become a public record.

Thank you for your time, and I look forward to your response.

Kindest Regards,

Rachel Simmons

Rachel Witherington Simmons, Attorney
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Outlook

Atoka ethics investigation

From Rachel Simmons <rachel@owtnlaw.com>
Date Wed 11/11/2026 12:07 PM
To Amber Shaw <ashaw@harrisshelton.com>

Amber:

Thank you for giving the Board the update you did at last night's meeting. I appreciate their understanding, and I am committed to completing this investigation and my report expeditiously.

To give you a quick update, I have reached out to Alderman Harber's attorney, David Pickler, in writing, renewed my request to speak to Alderman Harber directly and provided dates and times I am available for an interview, which includes over the upcoming weekend and after business hours. I also told Mr. Pickler that if none of the dates and times I proposed worked for his and Alderman Harber's schedule to please give me dates and times they would be available, including into early next week, and that I would make every effort to accommodate their schedules.

In the same correspondence to Mr. Pickler I also proposed, as an alternative to an interview, that Alderman Harber could respond in writing and notified him l that if Alderman Harber did choose that route, I had a list of questions I would request Alderman Harber to respond to in addition to anything else he would like to say.

I gave Mr. Pickler a deadline of November 17 at 5:00pm for any written response by Alderman Harber. I also told Mr. Pickler, barring truly extraordinary circumstances, that I would submit my report to the Board no later than Friday November 20, 2026. I will submit it sooner than November 20 if possible. I know time is of the essence here, and I believe what I have proposed to Mr. Pickler provides Alderman Harber a meaningful opportunity to respond. I also requested that Mr. Pickler notify me in writing if Alderman Harber decided not to respond at all.

As soon as I receive a response from Mr. Pickler and have an update on scheduling, I will notify you promptly.

My office is closed today for Veterans Day, but I am available on my cell phone if you need to discuss any matters with me. I have two hearings on the docket tomorrow in Tipton Chancery, so I expect to be tied up a majority of the day tomorrow but will make time for us to talk if necessary.

Again, thank you and the Board for your understanding and accommodation.

Kindest Regards,

RKS

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