

State Ethics Commission  
Commission Meeting Minutes

February 15, 2010  
200 Piedmont Avenue  
10<sup>th</sup> Floor – West Tower  
Atlanta, Georgia

**Present:**

James C. Gatewood, Chairman  
William H. Jordan, Vice Chairman  
Kent Alexander, Member

**Absent:**

Patrick Millsaps, Member

The meeting was called to order by Mr. Gatewood at approximately 10:06 a.m.

The minutes from the October 15, 2009 were adopted.

Motion to accept.

Moved by Mr. Jordan

*Carried 3 – 0*

Seconded by Mr. Alexander

The minutes from the October 21, 2009 were adopted.

Motion to accept.

Moved by Mr. Jordan

*Carried 3 – 0*

Seconded by Mr. Alexander

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## COMPLIANCE ORDER

### In the Matter of Lester Harmon

2006-0034

This Compliance Order was presented by Ms. Meron Dagnev.

The Respondent was ordered to cease and desist from any and all actions which violate the Ethics in Government Act.

Motion to accept.

Moved by Mr. Jordan

*Carried 3 – 0*

Seconded by Mr. Alexander

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## CONSENT ORDERS

### In the Matter of Robert L. Pitts, and Robb Pitts Campaign '01

2002-0058 and 2002-0059

This Consent Order was presented by Ms. Julie Anderson.

Motion to reject.

Moved by Mr. Jordan

*Carried 3 – 0*

Seconded by Mr. Alexander

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## OTHER BUSINESS

### **Advisory Opinion 2010-01**

Motion to accept.

Moved by Mr. Jordan

*Carried 3 – 0*

Seconded by Mr. Alexander

The Commission referred the matter regarding the Alabama subpoenas to the Attorney General's office for further investigation.

Public comments were made regarding Robert Proctor and In the Matter of Robert Proctor, Case Number 2003-0020. The Commission requested Commission Staff to review the statute of limitations and related case file for recommendation of how to proceed. The Commission also requested staff to the review of all open cases for discrepancies.

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Motion to adjourn to Executive Session at 10:40 a.m.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Alexander

Commissioner Millsaps joined the Executive Session via telephone conference.

Interview of Executive Secretary Candidates

- Gene Chapman
- Bryce Farbstein
- Stacey Kalberman

Motion to resume Regular Session at 12:20 p.m.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Alexander

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The Commission opted to schedule the next meeting at a later date.

Motion to adjourn.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Alexander

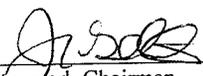
The meeting adjourned at approximately 12:22 p.m.

**Official Minutes Statement**

The foregoing Minutes for the February 15, 2010 meeting of the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on August 17<sup>th</sup>, 2010.

  
Tom Plank, Acting Executive Secretary

on behalf of Tom Plank  
8/17/10

  
James C. Gatewood, Chairman

8/17/10  
Date

County of Fulton,  
State of Georgia

Affidavit of Presiding Officer  
STATE ETHICS COMMISSION

Personally appeared before the undersigned officer, duly authorized to administer oaths, James C. Gatewood, Chairperson of the State Ethics Commission, (the "Commission"), who, being sworn, states the following under oath :

1.

I am the Chairman of the Commission. I am giving this Affidavit as required by O.C.G.A. § 50-14-4(b) to explain the closing to the public of a part of a meeting of the Commission. I have personal knowledge of the facts stated in this Affidavit.

2.

On February 15<sup>th</sup>, the Commission met in an open meeting at the Floyd Building in Atlanta, and I presided. By a vote of 3 to 0, the Commission closed a portion of its meeting to the public in order to discuss and deliberate upon the hiring of an Executive Secretary. No other topic was discussed during the closed portion, over which I presided. The meeting was closed in accord with the specific exception to open meetings under O.C.G.A. § 50-14-3(6) ("Meetings when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee ...").

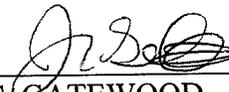
Sworn to and subscribed  
before me this 17<sup>th</sup> day  
of August, 2010.



Notary Public

My Commission Expires:

4-8-2014



JAMES C. GATEWOOD

Chairman,

State Ethics Commission