

**State Ethics Commission
Commission Meeting Minutes**

October 15, 2009
200 Piedmont Avenue
10th Floor – West Tower
Atlanta, Georgia

Present:

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

Absent:

Sonny Watson, Vice Chairman

The meeting was called to order by Mr. Jordan at approximately 9:32 a.m.

The minutes from the December 4, 2008 were adopted.

Motion to accept.

Moved by Mr. Millsaps

Seconded by Mr. Jordan

Carried 4 – 0

The minutes from the February 24, 2009 were adopted.

Motion to accept.

Moved by Mr. Gatewood

Seconded by Mr. Jordan

Carried 4 – 0

The minutes from the June 17, 2009 were adopted.

Motion to accept.

Moved by Mr. Jordan

Seconded by Mr. Gatewood

Carried 4 – 0

The minutes from the June 22, 2009 were adopted.

Motion to accept.

Moved by Mr. Jordan

Seconded by Mr. Alexander

Carried 4 – 0

The minutes from the August 27, 2009 were adopted.

Motion to accept.

Moved by Mr. Jordan

Seconded by Mr. Alexander

Carried 4 – 0

OLD BUSINESS

In the Matter of Ron Sailor

PC2007-0012

The case was presented by Mr. Tom Plank.

The Commission found to dismiss this case as the Respondent has been sentenced to federal prison under criminal charges.

Motion to dismiss.

Moved by Mr. Gatewood

Seconded by Mr. Jordan

Carried 4 – 0

In the Matter of Ben Elliot

2008-0093PC

The case was presented by Mr. Tom Plank.

The Commission found to dismiss this case as the Respondent has been sentenced to federal prison under criminal charges.

Motion to dismiss.

Moved by Mr. Jordan

Seconded by Mr. Millsaps

Carried 4 – 0

In the Matter of Amerigroup

PC2007-0035

The case was presented by Mr. Tom Plank.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent self-reported that it did not register as a Committee Other than a Candidate Committee in 2005 and 2006, in violation of O.C.G.A. § 21-5-34(e) and Rule 189-4-.01(c) (**Exhibits 1 & 2**) and then consequently failed to file December 31, 2005 and 2006 CCDRs with the Commission, in violation of O.C.G.A. § 21-5-34(e) and Rule 189-4-.01(c) due to a discrepancy regarding Rule 189-3-.01(5)(b).

Motion to dismiss.

Moved by Mr. Jordan

Abstained by Mr. Alexander

Carried 3 – 0

Seconded by Mr. Gatewood

In the Matter of Reginald Boddie

2005-0051

The case was presented by Mr. Tom Plank.

The Commission found to regard this case as inactive. The Respondent no longer resides in State of Georgia and the resources required to pursue this case exceed the civil penalty to be recovered. The Commission will re-refer the case when the Respondent returns to Georgia.

PRELIMINARY HEARINGS

Mr. Alexander recused himself of voting in all matters as a newly appointed commissioner.

In the Matter of Elise Shore

2008-0025

The case was presented by Mr. Yasha Heidari.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent allegedly lobbied without wearing a lobbyist badge in accordance with O.C.G.A. § 21-5-71.

Motion to dismiss.

Moved by Mr. Millsaps

Carried 3 – 0

Seconded by Mr. Gatewood

In the Matter of Sharon Barnes-Sutton

2008-0067

The case was presented by Mr. Tom Plank.

In Allegation 1, the Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act when the Respondent failed to file Campaign Contribution Disclosure Reports (CCDRs) in 2006 as a candidate for House District 87 and has failed to file her June 30, 2008 CCDR as a candidate for DeKalb County Commission, District 4 in violation of O.C.G.A. § 21-5-34.

Motion to set down for APA hearing.

Moved by Mr. Jordan

Carried 3 – 0

Seconded by Mr. Gatewood

In Allegation 2, the Commission voted to dismiss the Commission late fees assessed in violation of O.C.G.A. § 21-5-34(l).

Motion to dismiss.

Moved by Mr. Jordan

Carried 3 – 0

Seconded by Mr. Gatewood

In the Matter of D.A. King

2008-0069

The case was presented by Mr. Tom Plank.

In Allegation 1, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent failed to register as a lobbyist in 2006 and 2007 even though he was compensated to lobby at the State and Local Levels as CEO, CFO and Secretary of the Dustin Inman Society, Inc. in accordance with O.C.G.A. § 21-5-70.

In Allegation 2, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the respondent failed to file Lobbyist Disclosure Reports (LRs) in 2006 and 2007 and failed to report lobbyist expenditures on his LRs in accordance with O.C.G.A. § 21-5-73.

Motion to dismiss.

Moved by Mr. Gatewood

Carried 2 – 1

Seconded by Mr. Millsaps

Opposed by Mr. Jordan

In the Matter of Steven Lee

2008-0047

The case was presented by Mr. Yasha Heidari.

In Allegation 1, the Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act when the Respondent failed to file a Personal Financial Disclosure Statement (PFDS) for the 2005 and 2007 calendar years in violation of O.C.G.A. § 21-5-50.

In Allegation 2, the Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act when the Respondent failed to file Campaign Contribution Disclosure Reports in violation of O.C.G.A. § 21-5-34

Motion to set down for APA hearing.

Moved by Mr. Jordan

Carried 3 – 0

Seconded by Mr. Gatewood

In the Matter of Derrick Dickey

2008-0077

The case was presented by Mr. Tom Plank.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent lobbied during the 2007 Session of the General Assembly by providing media relations and strategic consulting advice to the proponents of Senate Bill 200 and Senate Resolution 309 without registering as a lobbyist in accordance with O.C.G.A. § 21-5-70.

Motion to dismiss.

Moved by Mr. Gatewood

Carried 3 – 0

Seconded by Mr. Jordan

In the Matter of J.W. Payne

2008-0073 & 2008-0096

The case was presented by Mr. Tom Plank.

In Allegation 1, the Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act regarding the following issues in violation of O.C.G.A. § 21-5-30.2:

- The use of the tax office's counter space to display Respondent's campaign cards.
- Respondent's statements to Complainant 1 concerning the placement of Complainant 1's own campaign cards inside the tax office.

Motion to set down for APA hearing.

Moved by Mr. Jordan

Carried 3 – 0

Seconded by Mr. Gatewood

In Allegation 1, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated regarding the following issues in accordance with O.C.G.A. § 21-5-30.2:

- Respondent's solicitation of votes during business hours and inside the Tax Commission's office
- Respondent's staging and publishing of a photograph of Respondent standing with Tax Commission staff in a campaign advertisement (a picture taken within the Tax Commission's office).

Motion to dismiss.

Moved by Mr. Jordan

Carried 2 – 1

Opposed by Mr. Millsaps

Seconded by Mr. Gatewood

The Commission found that Allegation 2 does not fall within the Commission's jurisdiction.

Motion to dismiss.

Moved by Mr. Jordan

Carried 3 – 0

Seconded by Mr. Gatewood

In the Matter of John Oxendine

2008-0112

The case was presented by Mr. Tom Plank.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent purchased an SUV with campaign funds as an ordinary and necessary expenditure in accordance with O.C.G.A. § 21-5-33.

Motion to dismiss.

Moved by Mr. Jordan

Carried 3 - 0

Seconded by Mr. Gatewood

In the Matter of John Oxendine

2009-0007

The case was presented by Mr. Tom Plank.

The Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act when the Respondent accepted contributions from affiliated political action committees.

Motion to table.

Moved by Mr. Jordan

Carried 3 - 0

Seconded by Mr. Gatewood

Motion to investigate the political action committees and regulated entities involved in this matter.

Moved by Mr. Jordan

Carried 3 - 0

Seconded by Mr. Gatewood

In the Matter of Graham Brothers Construction Co.

2008-0076

The case was presented by Mr. Tom Plank.

In Allegation 1, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondents lobbied the General Assembly for the passage of Senate Bill 200 and Senate Resolution 309 without registering as lobbyists in accordance with O.C.G.A. § 21-5-71.

In Allegation 2, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the respondent paid Jay Walker/MMV Consulting to lobby on its behalf and Jay Walker failed to register as a lobbyist in accordance with O.C.G.A. § 21-5-71.

In Allegation 3, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the respondent failed to disclose a lobbyist expenditure in the form of the provision of a private aircraft to some members of the General Assembly in accordance with O.C.G.A. § 21-5-73.

Motion to dismiss.

Moved by Mr. Gatewood

Carried 3 - 0

Seconded by Mr. Millsaps

In the Matter of Leigh Patterson

2008-0100

The case was presented by Mr. Yasha Heidari.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent received a contribution from the Downtown Development Authority of Cave Springs, Georgia, in the amount of \$432, in violation of O.C.G.A. § 21-5-30.2.

Motion to dismiss.

Moved by Mr. Millsaps

Carried 3 - 0

Seconded by Mr. Jordan

In the Matter of Toney Collins

2009-0004

The case was presented by Mr. Yasha Heidari.

The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent did not disclose his qualifying fee as an in-kind contribution to his campaign.

Motion to dismiss.
Moved by Mr. Gatewood
Carried 3 – 0

Seconded by Mr. Jordan

In the Matter of Terry Sweeney
2008-0102

The case was presented by Mr. Yasha Heidari.
The Commission found reasonable grounds to believe that the Respondent may have violated the Ethics in Government Act when the Respondent failed to disclose the address, employer and occupation of an individual who made a \$1,000 contribution to his campaign in accordance with O.C.G.A. § 21-5-34.

Motion to set down for APA hearing.
Moved by Mr. Jordan
Carried 3 – 0

Seconded by Mr. Millsaps

In the Matter of Deray Fincher
2008-0065A

The case was presented by Mr. Yasha Heidari.
In Allegation 1 and 2, the Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent used taxpayer money to provide “goody bags,” which contained campaign advertisements, to Complainant’s son’s daycare delivered by a government employee while on duty in accordance with O.C.G.A. § 21-530.2. The goody bags stated in large letters “Go Vote Deray Fincher.”

Motion to dismiss.
Moved by Mr. Gatewood
Carried 3 - 0

Seconded by Mr. Jordan

In Allegation 3, Commission found reasonable grounds to believe that Respondent may have violated the Ethics in Government Act when the Respondent failed to properly disclose all contributions to his campaign in violation of O.C.G.A. § 21-5-34.

Motion to set down for APA hearing.
Moved by Mr. Gatewood
Carried 3 – 0

Seconded by Mr. Jordan

In the Matter of Amber Chastain
2008-0065B

The case was presented by Mr. Yasha Heidari.
The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent delivered “goody bags,” which contained campaign advertisements to Complainant’s son’s daycare in accordance with O.C.G.A. § 21-5-30.2.

Motion to dismiss.
Moved by Mr. Jordan
Carried 3 - 0

Seconded by Mr. Gatewood

In the Matter of Melica Kendrick
2009-0008

The case was presented by Mr. Yasha Heidari.
The Commission did not find reasonable grounds to believe that the Ethics in Government Act had been violated when the Respondent failed to disclose campaign contributions in accordance with O.C.G.A. § 21-5-34.

Motion to dismiss.
Moved by Mr. Jordan
Carried 3 - 0

Seconded by Mr. Millsaps

The meeting adjourned at 11:15 a.m. for a brief recess.

The meeting reconvened at 11:25 a.m.

WAIVERS OF PRELIMINARY HEARING

The Respondent in each of the following matters waived his/her right to a preliminary hearing:

In the Matter of Pam Stephenson
PC2007-0013

In the Matter of Michelle Conlon
2008-0095

CONTINUED

In the Matter of Central Atlanta Progress/Atlanta Downtown Improvement District
2008-0097D

In the Matter of Gwinnett Place Community Improvement District
2008-0097F

In the Matter of Perimeter Community Improvement District
2008-0097G

In the Matter of Gwinnett Village Community Improvement District
2008-0097H

In the Matter of Cumberland Community Improvement District
2008-0097I

In the Matter of A.J Robinson
2008-0105B

In the Matter of Charles Strawser
2008-0105C

In the Matter of Downtown Atlanta Community Improvement District
2008-0105D

In the Matter of Atlanta Downtown Improvement District, Inc.
2008-0105E

In the Matter of the Georgians for Community Redevelopment
2008-0097A, 2008-0099C, 2008-00105A

In the Matter of A.J Robinson
2008-0097B

In the Matter of Charles Strawser
2008-0097C

In the Matter of Atlanta Housing Authority
2008-0097E

In the Matter of Sonya Moste
2008-0099B

In the Matter of Atlanta Development Authority
2008-0099A

In the Matter of Azadeh Shahshahani
2008-0106

In the Matter of Debbie Seagraves
2008-0107

In the Matter of Jacquelyn Barrett
2004-0021

In the Matter of Kwanza Hall
2009-0005PC

COMPLIANCE ORDER

In the Matter of David Barrett

2008-0039

This Compliance Order was presented by Mr. Tom Plank.
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. Gatewood

Carried 3-0

Seconded by Mr. Jordan

CONSENT ORDERS

In the Matter of Regina Thomas

2008-0034PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$2,500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Charles Bannister

2008-0057

The Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Georgia Affordable Housing Coalition

2008-0061PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$27,708.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Bill Thrower

2008-0063

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Evan Stapler

2008-0064

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$1,750.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Jordan

In the Matter of Helen Blocker-Adams

2008-0080PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$1,500 and a late fee was assessed in the amount of \$75.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Richard Colclough

2008-0081PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$1,500 and a late fee was assessed in the amount of \$375.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Benjamin Crawford

2008-0082PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$250 and a late fee was assessed in the amount of \$150.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Jordan

In the Matter of Theida Salazar

2008-0088PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$250 and a late fee was assessed in the amount of \$750.

Motion to accept.

Moved by Mr. Gatewood

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Suntrust Good Government Group

2008-0090PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$2,931 and a late fee was assessed in the amount of \$6,675.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Jordan

In the Matter of Health Care South, Inc.

2008-0087PC

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$4,500 and a late fee was assessed in the amount of \$375.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Mike D. Crotts

2008-0053

This Consent Order was presented by Mr. Yasha Heidari.
A civil penalty was assessed in the amount of \$500.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Jordan

In the Matter of Randal Mangham

PC2007-0010

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$5,000.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Sharon Beasley-Teague Elnamala

PC2007-0020

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$2,500. Respondent will transfer \$659.50 from personal funds to her campaign account.

Motion to accept.

Moved by Mr. Gatewood

Carried 3-0

Seconded by Mr. Jordan

In the Matter of David Scott

2008-0004PC

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$7,500.

Motion to accept.

Moved by Mr. Gatewood

Carried 3-0

Seconded by Mr. Jordan

In the Matter of Lanett Stanley-Turner

2008-0007PC

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$3,250.

Motion to accept.

Moved by Mr. Millsaps

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Donald Broussard

2008-0044

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$1,250.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Herbert Adams Jr.

2008-0049

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Joe Heckstall

2008-0066

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$1,500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Bill Mauldin

2008-0098

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$200.

Motion to accept.

Moved by Mr. Gatewood

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Terry L. Coleman

2001-0115, 2002-0053, 2002-0077

This Consent Order was presented by Ms. Meron Dagnev.
A civil penalty was assessed in the amount of \$2,900.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Mitzi Bickers

2002-0059

This Consent 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. Millsaps

In the Matter of Melvin Collins

2002-0059

This Consent 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. Millsaps

In the Matter of Joe Amos

2002-0059

This Consent 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. Millsaps

In the Matter of Kimberly Daniels

2002-0059

This Consent 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. Millsaps

In the Matter of A.W. Dahlberg

2002-0059

This Consent 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. Millsaps

In the Matter of Robert Silverman

2002-0059

This Consent Order was presented by Ms. Meron Dagnew.
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. Millsaps

In the Matter of Elaine Boyer

2003-0054 & 2004-0036

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$800.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Horace Bond

2005-0023

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$2,500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Cathy Cox

2005-0104

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$500.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Robert Hagan

2005-0105

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$200.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Angela Graham & Citizens for Dekalb Greenspace

2006-0027

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$2,000.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Millsaps

In the Matter of Tracy Bennett

2006-0064

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$2,250.

Motion to accept.

Moved by Mr. Jordan

Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Committee to Keep Our Tax Dollars at Home
2008-0001PC

This Consent Order was presented by Ms. Meron Dagnew.
A civil penalty was assessed in the amount of \$2,500.

Motion to accept.
Moved by Mr. Jordan
Carried 3-0

Seconded by Mr. Gatewood

In the Matter of Lester G. Jackson
2008-0008PC

This Consent Order was presented by Mr. Tom Plank.
A civil penalty was assessed in the amount of \$250.

Motion to accept.
Moved by Mr. Millsaps
Carried 3-0

Seconded by Mr. Jordan

OTHER BUSINESS

Advisory Opinion 2009-03

Motion to accept.
Moved by Mr. Jordan
Carried 3-0

Seconded by Mr. Gatewood

Waivers of Late Fees

The Commission deferred to staff recommendation regarding late fees.

The meeting adjourned at 12:05 p.m. for lunch.

The meeting reconvened at 1:13 p.m.

Interview of Executive Secretary Candidates

- Cassandra Lawson
- John Truslow
- David Von

Motion to adjourn to Executive Session at 2:32 p.m.
Moved by Mr. Jordan
Carried 4-0

Seconded by Mr. Millsaps

Motion to resume Regular Session at 3:20 p.m.
Moved by Mr. Alexander
Carried 4-0

Seconded by Mr. Jordan

The Commission tentatively scheduled a teleconference for Wednesday, October 21st at 2:30 p.m.

Appointment of Acting Executive Secretary

Motion to appoint Mr. Plank as Acting Executive Secretary.
Moved by Mr. Jordan
Carried 4-0

Seconded by Mr. Millsaps

There were no public comments.

There was no report from the Executive Secretary.

Election of Officers

Motion to appoint Mr. Gatewood as Chairman.
Moved by Mr. Jordan
Carried 3-0

Seconded by Mr. Millsaps

Motion to appoint Mr. Jordan as Vice-Chairman.
Moved by Mr. Jordan
Carried 3-0

Seconded by Mr. Millsaps


Motion to adjourn.
Moved by Mr. Gatewood
Carried 4-0

Seconded by Mr. Jordan

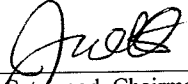
The meeting adjourned at approximately 3:30 p.m.

Official Minutes Statement

The foregoing Minutes for the October 15, 2009 meeting of the State Ethics Commission were approved and adopted by the Commission at the Commission's meeting on February 15, 2010.



Tom Plank, Acting Executive Secretary



James C. Gatewood, Chairman

2/15/10

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, William H. Jordan, Chairperson of the State Ethics Commission, (the "Commission"), who, being sworn, states the following under oath :

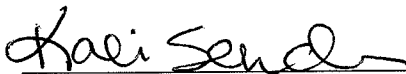
1.

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 October 15, 2009, the Commission met in an open meeting at the Floyd Building in Atlanta, and I presided. By a vote of 4 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 15th day
of February 2010.



Notary Public

My Commission Expires:

5-5-12



WILLIAM H. JORDAN
Chairman,
State Ethics Commission