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
Carried 4 – 0
Seconded by Mr. Jordan

The minutes from the February 24, 2009 were adopted.
Motion to accept.
Moved by Mr. Gatewood
Carried 4 – 0
Seconded by Mr. Jordan

The minutes from the June 17, 2009 were adopted.
Motion to accept.
Moved by Mr. Jordan
Carried 4 – 0
Seconded by Mr. Gatewood

The minutes from the June 22, 2009 were adopted.
Motion to accept.
Moved by Mr. Jordan
Carried 4 – 0
Seconded by Mr. Alexander

The minutes from the August 27, 2009 were adopted.
Motion to accept.
Moved by Mr. Jordan
Carried 4 – 0
Seconded by Mr. Alexander

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
Carried 4 – 0
Seconded by Mr. Jordan

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
Carried 4 – 0
Seconded by Mr. Millsaps
**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

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**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.

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**PRELIMINARY HEARINGS**

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

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**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

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**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

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**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  
Seconded by Mr. Gatewood  
Opposed by Mr. Millsaps

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_

**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_

**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. § 21-5-30.2. The goody bags stated in large letters “Go Vote Deray Fincher.”

Motion to dismiss.  
Moved by Mr. Gatewood  
_Carried 3 – 0_

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_

**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_

**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_

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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
Seconded by Mr. Gatewood
Carried 3-0

In the Matter of Richard Colelough
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
Seconded by Mr. Gatewood
Carried 3-0

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
Seconded by Mr. Jordan
Carried 3-0

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
Seconded by Mr. Millsaps
Carried 3-0

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
Seconded by Mr. Jordan
Carried 3-0

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
Seconded by Mr. Gatewood
Carried 3-0

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
Seconded by Mr. Jordan
Carried 3-0
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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Jordan
Carried 3-0

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 Seconded by Mr. Jordan
Carried 3-0

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 Seconded by Mr. Gatewood
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Gatewood
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0
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 Dagnew.
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 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 Melvin Collins
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 Joe Amos
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 Kimberly Daniels
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 A.W. Dahlberg
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 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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Gatewood
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Millsaps
Carried 3-0

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 Seconded by Mr. Gatewood
Carried 3-0
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

Date 2/15/10

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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.

[Signature]
Notary Public
My Commission Expires: 5-5-12.

[Signature]
WILLIAM H. JORDAN
Chairman,
State Ethics Commission