



Georgia Government Transparency and Campaign Finance Commission

200 Piedmont Avenue SE | Suite 1402, West Tower | Atlanta, Georgia 30334

404-463-1980 | www.ethics.georgia.gov

Regular Meeting | Monday, September 19, 2016 | 10:00 AM

Summary of Commission Meeting

Location: Coverdell Legislative Office Building
Room 606, 18 Capitol Square, SW
Atlanta, GA 30334

PRESENT:

Commission Members:

R. Lawton Jordan III, Chair
Mary Paige Adams, Vice Chair
Dennis Cathey, Commission Member
Jake Evans, Commission Member

Office of the Attorney-General:

Christian Fuller, Assistant Attorney-General

Commission Staff:

Stefan Ritter, Executive Secretary
Robert Lane, Attorney
Bethany Whetzel, Attorney
Nancy Sandberg, Legal Administrative Assistant
Kim Greene, Court Reporter
Maria Bazille, IT
DeAngelo Hall, Videographer

SUMMARY OF SUBJECTS ACTED UPON:

Subject	Summary
Meeting Called to Order	<ul style="list-style-type: none"> Meeting was called to order at 10:01 AM
Opening Comments of the Chair	<ul style="list-style-type: none"> Chair Jordan welcomed the public and introduced new Commission member, Jake Evans, who expressed his delight at joining the Commission.
Approval of Commission Meeting Minutes	<ul style="list-style-type: none"> Motioned and approved to adopt the Commission Meeting minutes of June 23, 2016 as prepared with no corrections or revisions.
Commissioner's Recusal Policy	<ul style="list-style-type: none"> Motioned and approved to adopt the Commissioner's Recusal Policy
Motion for Order Denying Renewal of Registration for Lobbyists with Unpaid Fees, Fines, Penalties or Unfiled Reports.	<ul style="list-style-type: none"> Motioned and approved to sign the Order Denying Renewal of Registration to Lobbyists with Unpaid Fees, Fines, Penalties or Unfiled Reports.

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Subject	Summary
Respondent's Motion to Quash Subpoena (served upon John Oxendine, P.C.)	<ul style="list-style-type: none"> • Commissioner Evans recused himself from this matter. • Motioned and approved to defer the decision on the Motion to Quash <i>quid pro quo</i> and during the interim of the Commissions deferral that the Respondent furnish to the Commission the banking material that he has profited that said he would furnish to the Commission, and at the time of the filing of the brief in the Appellate Court that the Respondent will furnish the Commission a copy of that material, and upon the review of the materials, that the Commission reconvene for a Special Call meeting with both parties present and that the Commission may have other questions and defer decision at that time. That this does not intend to be a waiver of the objections to the subpoena nor is it an acquiescence on behalf of the Commission that their belief that the Subpoena is valid. And that the document deadline to produce be set for five (5) business days from today, September 19, 2016.
Compliance Agreement	<ul style="list-style-type: none"> • The following Compliance Agreement was motioned and approved as presented: <ul style="list-style-type: none"> ○ 2010-0015: In the Matter of J. Darwin Carter (BW)
Consent Order	<ul style="list-style-type: none"> • The following Consent Orders were motioned and approved as presented: <ul style="list-style-type: none"> ○ 2015-0049: In the Matter of Vanessa Fleisch (RL) ○ 2015-0044: In the Matter of James E. "JE" Witherspoon (BW)
Preliminary Hearings	<ul style="list-style-type: none"> • Preliminary Hearings: <ul style="list-style-type: none"> ○ 2010-0040: In the Matter of Brandon Beach (BW)). Motioned and approved to adopt the Compliance Agreement as presented. ○ 2012-0013: In the Matter of Normarene Merritt (RL). Motioned and approved to find reasonable grounds to believe (probable cause) that violations have occurred. ○ 2010-0006: In the Matter of Curt Thompson (BW). Motioned and approved to table until the next scheduled meeting in December. ○ 2014-0057: In the Matter of Cobb County Taxpayers Association (RL) Motioned and approved to accept the Consent Order as presented. ○ 2011-0019: In the Matter of Craig Voth (BW) Motioned and approved to find reasonable grounds to believe (probable cause) that violations have occurred.

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<p>Comments by the Executive Secretary</p>	<ul style="list-style-type: none"> • Executive Secretary, Stefan Ritter gave the following presentations: <ul style="list-style-type: none"> ○ Administrative Dismissal Summaries for: <ul style="list-style-type: none"> ▪ 2004-0070: In the Matter of Daryll A. Triplett (RL) ▪ 2015-0045PC: In the Matter of Georgia Tea Party Inc. (RL) ▪ 2016-0006: In the Matter of Concerned Citizens of Gordon, Inc. (RL) ▪ 2016-0005: In the Matter of Alicia Floyd (RL) ▪ 2009-0031 PC: In the Matter of Tiffany Brown, <i>et al</i> (RL) ▪ 2012-0062: In the Matter of Carroll Ann Coleman (BW)) ▪ 2012-0030: In the Matter of Timothy Theobald (BW) ▪ 2016-0001: In the Matter of Let Paulding Fly (BW) ▪ 2009-0032: In the Matter of Mary Norwood for Mayor (BW) ▪ 2009-0033: In the Matter of Citizens for Fair Elections (BW) ▪ 2010-0034: In the Matter of Joseph Flint (BW) ○ Report on Case Backlog: <p>This year to date we have had 55 new cases, 12 of which were received in the last month. Bethany Whetzel and Robert Lane have diligently worked on getting the backlog of cases down prior to 2014 while receiving new cases. Which was set as 171 cases, not including those at the AG’s office. At this point approximately 50% of those cases have been closed. It is anticipated that by the March meeting they will be close to closing in some manner close to 100% of the back cases (old, dated, and not actionable, as there is so little information in the case). As to the cases at the AG’s Office there are two ways that cases are sent to the AG’s office: 1. For Prosecution – goes for an Administrative hearing and then comes back to the Commission for a decision. 2. For Collection – after Consent Order issued and there is a failure to pay fines and fees. Mr. Banks of the Attorney General’s Office has inherited these 50 some cases. There has been good movement in the last three months and 25% have been closed with 35 cases remaining to be addressed. Robert Lane has closed out 12-15 cases since the first of the year for the years 2008 thru 2010, some were closed as barred by the Statue of Limitations, some as judgement proof, others as an amount so small that it would be too costly to collect and a few were referred for collections. Mr. Banks appeared and addressed the Commission at their request on the status of the pending collection cases still at the Attorney General’s Office.</p> ○ Legislative Update: <p>General Assembly will be meeting in three and a half month. We will be working with Georgia Municipal Association (GMA) to make the Campaign Finance Act clear and address issues we have seen.</p>

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Comments by the Executive Secretary (<i>continued</i>)	<ul style="list-style-type: none"> ○ Office Space Update: As of today, we don't have the office space yet, but we have been informed that construction my start at the end of the year or the beginning of next year. ○ Employee Update: Natalie Harper will be returning as our lead Auditor on October 1st and we are working on hiring a Data Analyst, whom we hope to have hired by December 1st to work with our Program Analyst Don Wood on the data code that we have been bogged down with.
Employment Action Regarding Robert Lane and Bethany Whetzel	<ul style="list-style-type: none"> ● Motioned and approved to designate Robert Lane and Bethany Whetzel as co-Deputy Executive Secretary with the ability to step into place and run the commission should something happen to the Executive Secretary.
Attorney-General's Office Comments	<ul style="list-style-type: none"> ● Christian Fuller the Assistant Attorney-General stated that 9-10 cases are coming before OSAH. They will conduct an investigation before a full hearing, to better streamline collecting evidence and proceed forward. Seven cases are proceeding forward in a short period of time.
Comments from the Chair	<ul style="list-style-type: none"> ● Mr. Ritter brought up that the Michael Julian Bond case has not been resolved, but was told by Bond today that he will sign a Consent Order. Chair Jordan stated that it will come before the Commission at the December meeting.
Public Comment	<ul style="list-style-type: none"> ● Representative Betty Price requested that she be allowed to come back for reconsideration of her Late Fee Hardship Waiver Appeal at the December meeting. Chair Lawton stated that while they were not under any obligation, he would not object to putting her on the Agenda for the December meeting.
Future Meeting Schedule	<ul style="list-style-type: none"> ● Motioned and approved to move the December scheduled meeting from Thursday, December 15th to Thursday, December 8th, 2016. ●
Meeting Adjourned	<ul style="list-style-type: none"> ● Motioned and approved to adjourn the meeting at 12:55 PM.