



Georgia Government Transparency and Campaign Finance Commission

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Minutes of Commission Meeting Regular Meeting | Thursday, December 8, 2016 at 10:00 AM

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
Jake Evans, Commission Member
James D. Kreyenbuhl, Commission Member

Office of the Attorney General:

Jennifer Colangelo, Assistant Attorney-General

Commission Staff:

Stefan Ritter, Executive Secretary
Robert Lane, Deputy Executive Secretary
Bethany Whetzel, Deputy Executive Secretary
Nancy Sandberg, Legal Administrative Assistant
Chris Phelps, Paralegal
Maria Bazile, IT/Videographer

MEETING CALLED TO ORDER:

The meeting was called to order at 10:02 AM.

OPENING COMMENTS OF THE CHAIR:

Chair Jordan opened the meeting, welcomed the public and stated that Commissioner Dennis Cathey would be absent from the meeting, as he had a prior speaking commitment. He then introduced the fifth and newest Commission member, James D. Kreyenbuhl of Savannah, who was appointed by the Speaker of the House, David Ralston.

APPROVAL OF COMMISSION MEETING MINUTES:

Minutes of the September 19, 2016 Commission Meeting were motioned and approved as prepared with no corrections or revisions.

Motioned by: Chair Jordan

Seconded by: Commissioner Adams

Carried: 4 to 0

SCHEDULE DATES FOR 2017 QUARTERLY COMMISSION MEETINGS:

It was motioned and approved to set the schedule for the 2017 Quarterly Commission Meeting for the following dates: Thursday, March 23rd; Thursday, June 22nd; Thursday, September 21st; and Wednesday, December 6th.

Motioned by: Commissioner Kreyenbuhl

Seconded by: Commissioner Evans

Carried: 4 to 0

LATE FEE HARDSHIP WAIVER APPEALS:

The Executive Secretary, Stefan Ritter gave a presentation on the Late Fee process, statutes and procedures, and when and how late fees escalate for late filed Campaign Contribution Disclosure Reports (CCDR), Personal Financial Disclosure Statements (PFDS), Lobbyist Reports and Levels of Lobbyist Reports, the process for submitting a Late Fee Hardship Waiver Request and the criteria for granting/denying hardship waivers

The following Late Fee Hardship Waiver Requests were heard:

- In the Matter of Representative Elizabeth “Betty” Price:
Representative Price’s attorney had a conflict today and was unable to attend the meeting since the case is not a formal case and was informally put on the calendar at the request of Representative Price, the Commission decided to continue her Appeal until the next meeting in March 2017.

- In the Matter of Robert “Al” Smith:
It was motioned and approved to reduce his Late Fee to \$200, based on the fact that he is a first time Lobbyist and had a zero report.
Motioned by: Vice Chair Adams
Seconded by: Commissioner Evans
Carried: 4 to 0

- In the Matter of Brad Carver on behalf of and for Lobbyist members of Hall, Booth, Smith – Georgia Government Affairs Team:
Chair Lawton recused himself. The commission staff received thirty-one (31) late fee hardship waiver requests, for four (4) reports for each person (except Mr. Makie, who had three (3) reports) that were due the same day from eight (8) lobbyists, all missed the due date. It was motioned and approved to further reduce each person’s original \$5,100 fine, previously reduced from \$1,100 per individual (except Mr. Makie’s fine, which was \$825) to \$275 each. Commissioner Adams amended the original motion stating that “each lobbyist is to pay their \$275 fine individually, as all of the lobbyists are individually members of the State Bar and have a responsibility individually to follow the law and file their reports and pay their required fines individually”.
Motioned by: Commissioner Evans
Motion Amended by: Vice Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 2 to 1 (Commissioner Evans)

COMPLIANCE AGREEMENTS:

The following Compliance Agreement was motioned and approved as presented:

- 2010-0029: In the Matter of Jody Cash (RL):
Motioned by: Chair Lawton
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

- 2010-0013: In the Matter of William Lee (RL):
Motioned by: Chair Lawton
Seconded by: Vice Chair Adams
Carried: 4 to 0

- 2010-0082PC: In the Matter of Rodney Edenfield (BW):
Motioned by: Chair Lawton
Seconded by: Vice Chair Adams
Carried: 4 to 0

- 2010-0053PC: In the Matter of Vincent Dean Fort (RL):
Motioned by: Chair Lawton
Seconded by: Vice Chair Adams
Carried: 4 to 0

- 2010-0047: In the Matter of Todd Lawrence Levent (RL):
Motioned by: Chair Lawton
Seconded by: Vice Chair Adams
Carried: 4 to 0

CONSENT ORDERS:

The following Consent Orders were motioned and approved as presented:

- 2012-0079 & 2010-0012: In the Matter of Earnest G. Smith (RL):
Motioned by: Vice-Chair Adams
Seconded by: Chair Lawton
Carried: 4 to 0

- 2010-0006: In the Matter of Curt Thompson (BW):
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2015-0044: In the Matter of James Patrick Rasbury (BW):
Motioned by: Vice-Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

- 2013-0037: In the Matter of Steven A. Vezo (BW):
Motioned by: Commissioner Kreyenbuhl
Seconded by: Chair Jordan
Carried: 4 to 0

- 2010-0054 & 2010-0058: In the Matter of Paulette Rakestraw-Baddock (BW):
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2011-0014: In the Matter of Jacqueline Slaughter-Gibbons (BW):
Motioned by: Commissioner Kreyenbuhl
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2010-0031: In the Matter of David Ralston (BW):
 Commissioner Kreyenbuhl recused himself.
Motioned by: Vice-Chair Adams
Seconded by: Commissioner Evans
Carried: 3 to 0

- 2016-0025: In the Matter of Randy G. Daniel (RL)::
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2009-0012: In the Matter of Michael Julian Bond (BW):
 After much discussion, it was motioned and approved as presented with one edit, that he complete the required training classes within six (6) months by June 30, 2017, instead of by June 30, 2018.
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

PRELIMINARY HEARINGS:

The following cases were motioned and approved as follows:

- 2010-0062: In the Matter of Courtney Dillard (BW):
 It was motioned and approved to continue preliminary hearing to the next meeting in March 2017, as there is some confusion as to whether he wants to settle with a Consent Order or to continue with a Preliminary Hearing.
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2016-0049: In the Matter of Jack Doyle Taylor (RL):
 It was motioned and approved to find reasonable grounds to believe (probable cause) that violations have occurred.
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2016-0025: In the Matter of Conda Lowery Goodson(RL):
 It was motioned and approved to find reasonable grounds to believe (probable cause) that violations have occurred, as she has declined to enter into a Consent Order.
Motioned by: Chair Jordan s
Seconded by: Vice Chair Adams
Carried: 4 to 0

- 2009-0045: In the Matter of J. Wayne Garner (RL):
It was motioned and approved to a continuance with the instructions to enter into a Consent Order and bring it to the next meeting in March 2017.
Motioned by: Chair Jordan
Seconded by: Commissioner Evans
Carried: 4 to 0

- 2010-0005: In the Matter of Carlotta Harrell (RL):
It was motioned and approved to find reasonable grounds to believe (probable cause) that violations have occurred.
Motioned by: Chair Jordan
Seconded by: Vice-Chair Adams
Carried: 4 to 0

- 2010-0053: In the Matter of Neil Craig Prewett (RL):
It was motioned and approved to table to the next meeting in March 2017, since we lack proof of service to his legal counsel.
Motioned by: Chair Jordan
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

- 2010-0061: In the Matter of Sandra Lucille Murray (RL):
It was motioned and approved to move to the next meeting in March 2017, and again attempt to serve her notice, since we have been unable to properly serve the meeting notice.
Motioned by: Vice-Chair Adams
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

MOTION TO DISMISS FOR LACK OF SERVICE

It was motioned and approved to dismiss the following cases for Lack of Service.

- 2010-0008: In the Matter of Joseph Flint (BW)
Motioned by: Chair Jordan
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

- 2010-0010: In the Matter of Keith Gross (RL)
Motioned by: Chair Jordan
Seconded by: Commissioner Kreyenbuhl
Carried: 4 to 0

RESPONDENT'S MOTION TO QUASH SUBPOENA (SERVED UPON MARVIN ARRINGTON JR.):

No motion was made as to the Respondent's Motion to Quash Subpoena in case no. 206-0047PC Marvin Arrington, Jr., since a Consent Order Withdrawing the Motion to Quash Subpoena was received prior to the meeting today. The Commission stated that the inspection of the bank records has to occur by January 31, 2017, and if respondent fails to honor the Subpoena, it will then be referred to Superior Court.

COMMENTS BY THE EXECUTIVE SECRETARY:

Executive Secretary, Stefan Ritter gave the following presentations:

- Consideration of Adjustment of Contribution Limits Due to Inflation was removed from the Agenda and has been continued to be taken up at the next meeting.
- Summary of the Administrative Dismissals for the following:
 - ◆ 2010-0051: In the Matter of David Benson Barnett (RL)
 - ◆ 2010-0067: In the Matter of JaNice Van Ness (RL)
 - ◆ 2008-0095: In the Matter of Michelle Conlon (RL)
 - ◆ 2012-0008: In the Matter of Benjamin Futch II (BW)
 - ◆ 2010-0036: In the Matter of Judson Hill (BW)
 - ◆ 2010-0037: In the Matter of Judson Hill (BW)
 - ◆ 2012-0018: In the Matter of Forsyth County TEA Party (BW)
- Report on Case Backlog:

This year to date we have 71 new cases, 17 of which were received since the last meeting. 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. As of today, 65% 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 files).
- Lobbyist Update:

Lobbyist registration started the beginning of December with on site for first time registrants and online for renewals of registration. We have good badges this year and are sending out the badges earlier than in the past. Registration looks like it will go much smoother this year. We are looking into the ability to investigate and prosecute those who lobby, but do not register, as this has been and continues to be a severe problem.
- Legislative Update:

Clean up of our statutes are non-substantial other than bureaucratic problems with local filing and data methodology. We propose to give the local filers the option to choose either to file with us electronically or paper file with their local office.
- Office Space Update:

We hope that by March, most if not all of the office renovations will be complete.
- Employee Update:

We are seeking to hire a Data Analyst on a temporary basis.

ATTORNEY GENERAL'S COMMENTS:

Jennifer Colangelo was introduced as representing the Attorney General's Office in Christian Fuller's absence. There we no other comments.

COMMENTS FROM THE CHAIR:

Chair Jordan stated that the Legislative change proposed in regards to the local filers is good. He then went on to state that the staff of the Commission in the Commission office are a good group of people that he got a chance to get to know more when he attended their Thanksgiving luncheon.

COMMENTS OF THE PUBLIC:

There were no public comments.

MEETING ADJOURNED:

The meeting was motioned and approved to adjourn the meeting at 12:56 p.m.

Motioned by: Vice-Chair Adam

Seconded by: Commissioner Evans

Carried: 4 to 0

Official Minutes Statement

The foregoing Minutes for the December 8, 2016 meeting of the Georgia Government Transparency and Campaign Finance Commission were approved and adopted by the Commission at the Commission's meeting on March 23, 2017.



R. Lawton Jordan III, Chair



Date